Democracy and Governance in Jamaica: An Assessment

Assessment Team:

Team Leader
Jan Stromsem – Democracy and Governance Center, USAID

Dennis Darby – USAID/Jamaica
Ivelaw Griffith – Florida Int. Univ., Management Systems Int.
Richard Loudis – USAID/Jamaica
Zeric Kay Smith – Management Systems International

Report Prepared by:
Management Systems International
&
United States Agency for International Development

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I. EXECUTIVE SUMMARY

Introduction

Much is right with Jamaica. This feeling of optimism results from a 40 year history of democratic institutions, a general sense that modest progress in areas of education and health have been noted over the past few decades, but most importantly is the remarkable resilient spirit of the Jamaican people evident to even the most casual observer. Multiple examples of citizens working to improve their communities at both micro and macro levels are evident. From neighborhood watch groups committed to reducing crime in poor neighborhoods, to grass-roots community associations focusing on environmental sustainability in rural areas, to partnerships between the state and youth associations to provide technical training to those in need of job opportunities, there is quite a bit of good news in Jamaica today.

Yet, while there is much right, Jamaica still faces serious challenges to democratic development including further deepening of democratic habits and responsibilities among citizens; achieving a healthy and sustainable balance of power between and among political parties and state institutions; as well as between the state, the private sector, and civil society. Significant aspects of this include, improving police community relations; the efficiency of the justice system; human rights; and the need to reduce the influence of clientalistic politics on the structures of government, while reaching consensus on the basic reforms needed to set Jamaica aright.

This report explains and interprets some of the chief democracy and governance challenges facing Jamaica, with a view to suggesting engagement areas USAID/Jamaica may consider in order to improve the nation's governance climate.

Overall the assessment team came away from its work with a sense that Jamaica is at an important political cross-roads where there is potential for great strides in making government more responsive to Jamaicans and more capable of meeting Jamaica's contemporary challenges. Yet it was also noted by the team that there seems to be a lack of political will for fundamental change in some areas and that in the absence of political will, necessary, sustainable, democratic reforms are unlikely to occur. Thus, the conclusions of the assessment team were guided both by the need to think strategically about how to enhance the political will for reform, while at the same time facilitate progress in areas where USAID/Jamaica assistance is likely to have an immediate impact.

This document follows the democracy assessment methodology of USAID's Global Democracy Bureau. After a brief overview of Jamaican political history and contemporary structure, it looks at a host of variables believed to be key to positive democratic function. *The findings of the team with respect to these variables identifies Jamaica's most significant problems are in the areas of* ***governance*** *and* ***rule of law****.*

Specifically findings on the assessment variables were as follows:

Central DG issues for Jamaica – What are the principal constraints?

GOVERNANCE

The assessment team believes that the chief constraint to efficient and thriving democratic governance lies in deficiencies under the governance variable. While institutions of governance are formally in place, they often operate at sub-optimal levels. Without sufficient resources they suffer from inefficiency. Issues related to public corruption and access to information reduce state legitimacy; many perceive the political ruling class as self-interested; and the political system of winner-take-all politics allowing politicians access to spoils, contributing to a pattern of governmental incapacity. Meaningful local governance is hampered by a lack of decentralization and multiple layers of conflicting authority imposed from the national level. While a few parishes have developed effective methods of operation, most have not. Issues of governance pervade the other four variables and weaken Jamaican democracy in significant ways.

RULE OF LAW

ROL exists and has wide rhetorical legitimacy, yet in many areas and in a practical sense, operational rule of law stands on shaky ground. Notably, Jamaica faces challenges in criminal justice particularly at the level of the police, in view of the drug trade, and perceptions of increasing violent criminal activity. Problems of judicial efficiency were noted, while at the same time, the basic integrity of the judicial branch was affirmed. Some Jamaicans have begun to lose faith in the capacity of the state to guarantee basic freedoms, to keep them safe from criminal violence, and to assure that the police themselves do not perpetrate extra-judicial violent acts.

CONSENSUS

Democracy is the only game in town and the rules of the game are relatively clear (if at times dysfunctional). Thus there is broad consensus on the appropriate form and function of political institutions, and legal aspects of citizenship; however on virtually all other politically relevant issues, consensus is very elusive. The politics of conflict built around a winner-take-all mentality leads to significant government dysfunction. Thus the Team feels that a major effort towards consensus building is required. The main challenge will be that political leaders are said to lack political will for wholesale reform, and lack of consensus around even universally recognized problems appears to be deliberate. Political leaders, from neither party, articulate a common vision for Jamaica that can bring all together behind a set of common principles.

COMPETITION

Political competition is intense but has historically been patterned by each party remaining in power for approximate ten-year intervals. There exists a strong philosophical attachment to popular participation in political rule but political competition is highly personalized and typified by patron/client politics. Partisanship reigns among the political class, and public figures in all avenues of endeavor are often politicized or assumed to be so. Civil society and the press are active but not always a strong counter-balance to the state because they lack unity, common purpose, and capacity in a wide range of activities. Civil society is also bifurcated with a number of peak national organizations and many grass-roots groups, but little connection between these two levels. Electoral reforms in the mid 1990s have taken root but the gains

demonstrated in 1997[1] should not be taken for granted. Inside government, there are ongoing issues of lack of competition, with the executive branch dominating most governmental functions and with little visible commitment to decentralization and local governance.

INCLUSION
Jamaica does not have formal inclusion problems but vast gaps between the rich and poor mean that a large percentage of the population is *de facto* excluded from a whole host of opportunities. Social class and income are systematically associated with access to educational opportunities, political power, business and employment opportunities, or access to any other source of power. This has led to a profound alienation on the part of many Jamaicans, which in turn fuels crime, and political disenchantment. Further, the Jamaican political system seems to be structured to promote the exclusion of citizens, whether individually or as groups, from policy formulation and execution, either by design or default.

In conclusion, Jamaica can boast at least a modicum of accomplishments in all assessment areas and yet the democratic nature of the system is challenged by persistent underlying weaknesses. Thus, while we have pinpointed two principal variables where problems threaten democratic stability, the assessment team also identified a number of issues and themes that cut across many or all of the variables.

Overarching Issues

The assessment team also identified a number of circumstances that impact directly on the contemporary Jamaican political context, these include:

LACK OF POLITICAL WILL
Stemming from a pattern of clientalistic politics and hyper-partisanship, many of the assessment team's sources indicate that political leaders have little desire to change the *status quo*. The creation of political will for reform is seen as a major need for any successful DG program in Jamaica. However, an indirect route that focuses on the role of civil society and changing popular political attitudes is seen as the most likely means of breaking the negative cycle of patron/client politics.

ECONOMIC STAGNATION
Though there is some evidence of an economic bottoming out, it still remains that for most poor and working-class Jamaicans, steady and well-paid employment is hard to come by. Jamaica's economic performance since independence has been poor - both in absolute and relative terms. In the absence of sustained economic growth, the state's capacity to continue to dole out goods and services has become severely constrained. Without the inducements for political loyalty, previously acquiescent political constituencies have turned more and more to alternative patrons, drug-dealers and "dons" among them.

[1] The elections of 1997 were marked by lower levels of electoral violence and less voter fraud than elections in the past.

DRUG TRADE
An important international trans-shipment point for South American cocaine, Jamaica has become implicated in the myriad negative influences of the international drug trade. These include increased lawlessness, negative impacts on economic activities including tourism and export commerce, and the corrupting influence of drug money on the political system in general.

PATRON CLIENT SYSTEM/CORRUPTION
Political tribalism, hyper-competition, and a winner-take-all method of delivering political spoils are characterized as "politics-as-usual" by many with whom the assessment team spoke. This included one prominent political leader who indicated that the solution to the difficulties that Jamaica now finds itself in is as simple as abandoning the misguided policies of the opposite party and embracing those that he advocates.

CRIME AND VIOLENCE
Perhaps the most common problem cited by interlocutors of the assessment team is the perception of a mounting wave of crime and violence in Jamaica. The structure of crime in Jamaica has changed significantly since the 1970s, with a consistent decline in the rate of property crimes, but a corresponding increase in the rate of violent (and often more sophisticated) crimes. According to one expert, the JCF as an organization has failed to adapt to this changing structure of crime.[2] A shoot-out during an armed robbery at the assessment team's hotel was an example of how violent crime has moved from inner-city neighborhoods and into the Jamaican mainstream.

The rationale for any DG program in Jamaica thus proceeds from evidence that democratic institutions and practices have either eroded or failed to develop. It is the assessment team's belief that needed democratic reforms will require greater inclusiveness in public life by all sectors of society, as indicated by a more vigilant and active civil society that is better able to assess good public policy and effectively advocate for change. At the same time, neither democratic nor economic development will be able to proceed in Jamaica without strengthened respect for rule of law. A paramilitary style police force has alienated inner city citizens and an inefficient judicial system invites corruption, human rights abuses, and vigilantism. Simply put, the price of insecurity and violence in Jamaica is seen in a decade of economic stagnation. In the Western Hemisphere, only Cuba and Haiti performed more poorly than Jamaica this past decade. Given the potential for democratic backsliding in Jamaica and the possibility that this could lead to conflict similar to that seen in the 1970s, the assessment team believes that investment in support of Jamaica's democracy serves crucial US interests in this region.

Strategic Recommendations

The team presents a two-pronged set of recommendation that focus on "process"; and "practice". The process focuses on tactics to develop a common vision for Jamaica, building up civil society capacities to network, and both advocate for and implement change (especially within their own communities), and a broad consensus building process that begins from grassroots levels and extends ultimately to the highest political levels of government. Closely

[2] Anthony Harriot, Police and Crime Control in Jamaica -Problems of Reforming Ex-Colonial Constabularies, University of West Indies Press, 2000, p.9.

accompanying the process focus must be the "practice" or practical elements of the USAID (and USG) program.

Process recommendations include:

- Practical commitment to providing DG assistance in ways that model democratic practice (i.e., inclusive, consultative, participatory, grassroots oriented).
- Establishment of a common donor framework on crime and security issues
- Collaboration with US operational agencies (INL and ICITAP) and others to distinguish between "development" and "operations", yet ensure compatibility of US assistance, and that the common objective is that of building an efficient system, tailored to Jamaica's needs.
- Development of concentric consensus building activities on key issue(s).
- Where most promising and appropriate, provision of technical and financial assistance through existing SO programs to achieve results.
- Maintenance of flexibility to pursue (or not to pursue) activities and approaches based on a strategic approach.
- Engagement of Jamaican ex-patriot community in the US
    - Design and implementation
    - Political pressure
    - Source of funding and technical expertise

Practice recommendations include:

- Financial and technical assistance to building civil society capacity for advocacy and networking in order to increase state responsiveness, transparency, reduce opportunities for corruption, and better inform the policy making process.
- Work with the JCF and community in one or more pilot sites (preferably including Grants Pen or Standpipe where USAID/Jamaica's "Inner City Program" is focused) to establish a positive and replicable police/community relations model that impacts on criminal activities and reduces violence.
- Facilitation of information transfer in the justice system to reduce opportunities for corruption and reestablish public confidence in the functional rule of law

There is at least one important issue of protocol that should guide USAID as it embarks on the promotion of democratic governance reform in Jamaica. Because Jamaica is a long established parliamentary democracy, Jamaicans are rightfully proud of their political accomplishments. While many LAC countries went through military coups, and authoritarian rule during the 1960s and 70s, Jamaica maintained democratic institutions and much of Jamaica's national identity is embodied in its democratic political institutions. Thus care must always be exercised, and one must not fail to recognize the accomplishments of Jamaica. In this spirit, this report should be read not as an indictment of Jamaican politics but rather as an attempt to engage Jamaicans and facilitate the work of internal advocates of democratic reform.

II. INTRODUCTION

A stifling late-March afternoon near Coronation Market in downtown Kingston was the scene of a prosaic but telling set of events. The streets surrounding the market were crowded with shoppers and vendors both of which made vehicle passage through the public streets nearly impossible. Just behind the venders, whose goods are piled in the roadway, stands a market square nearly empty except for trash. The vast market improvement project, 10 years in the making, was still awaiting completion. As one approaches an intersection riddled with pot-holes, traffic has come to a dead stop. The only thing moving in any direction are tempers, rapidly rising. A police car pulls through the crowd and some breathe a sigh of relief believing that they will soon put things to right. Instead, the police jump out of their van, gesture wildly but without effect and shout at a few drivers before leaping back into the van and switching on their siren and lights to allow them to escape the traffic jam. Many minutes later, a few persistent drivers are able to nose their way through the mess guided by volunteers from the milling crowd.

Only a few blocks away on a side street near the market sits a local community leader and "don". Though he is reputed to be implicated in criminal activity, his inner-city neighborhood is marked by clean streets, a thriving community school, and an absence of violence. The contrasts between the myriad problems at the market and a mildly copasetic nearby neighborhood in many ways mirror the dichotomies of the political and social paradoxes embodied in contemporary Jamaican life. Inadequate infrastructure and other state services, inefficient policing, development projects gone awry, communities at odds with the state but at the same time making attempts to meet their own needs. Yet Jamaica did not reach this current state of affairs overnight, and although many have lost hope, many more remain sanguine that a moment of change has arrived and that Jamaica is at an important cross-roads.

HISTORICAL ANTECEDENTS

In a sense, modern Jamaican society began in 1838. The newly freed slaves rapidly deserted the plantations and established themselves as free settlers in the hills, forming a hard-working, independent peasantry that is still regarded as the backbone of Jamaica.

Since the turn of the century, sugar, bananas, citrus and coffee have become the main export crops and the source of livelihood for thousands. By the 1950's the mining of alumina and bauxite – the raw ore of aluminum- had become major contributors to the economy, along with tourism. These continue to be the major economic activities of Jamaica today.

Throughout its 300 years as a British colony, Jamaica had a stormy political life, with the House of Assembly and a vocal press providing the outlets for the vigorous creole politicians. However, all real decisions affecting the country were made in England, and a vast majority of the people had neither say nor representation in national life. During the early and mid 20th century, and under successful nationalist leaders such as Norman Washington Manley and Alexander Bustamante, the country began moving toward increasing autonomy in the running of its national affairs. Jamaica gained full independence in 1962. After achieving independence, Jamaica retained the Queen of England as titular Head of State, who continues to be represented locally by a Governor General.

The Constitution of Jamaica is based on inherited British legal, religious, educational and political traditions and provides the legal basis for its political structure as a parliamentary democracy with an elected House of Representatives and a nominated Upper House or Senate. In the Executive branch of Government, the Head of Government is the Prime Minister who is supported by a Deputy Prime Minister. Both these individuals are appointed by the governor general. There is a cabinet which is appointed by the governor general on the advice of the Prime Minister. There is a well-established two-party system, with a third party (the National Democratic Movement) having been formed in 1995. Elections are vigorously contested every five years in which all Jamaicans over the age of eighteen years are eligible to vote.

With respect to the Legislative branch of government, the bi-cameral Parliament consists of the Senate (a 21-member body appointed by the governor general on the recommendations of the prime minister and leader of the opposition) and the House of Representatives (60 seats; members are elected by popular vote to serve five-year terms). In function the Jamaican political apparatus tends to produce a strong executive similar to that in other Parliamentary democracies. Thus executive ministries are the chief policymaking and implementing entities. A detailed discussion of the structure of Jamaica's political and governmental system is found in Appendix E.

Deteriorating economic conditions during the 1970's led to recurrent violence and a downturn in tourism. Elections in 1980 saw the democratic socialists, People's National Party (PNP) voted out of office, and a more conservative government installed Jamaica Labor Party (JLP). Political violence marred elections during the 1990's, despite which the PNP returned to power. Depressed economic conditions have led to increased civil unrest, including the perception of a mounting crime rate. Currently Jamaica is trying to meet a many faceted development and reform agenda while gearing up for General Elections that must be held no later than March

2003 and for which current opinion polls place the ruling PNP at a disadvantage. Jamaica's medium-term prospects will depend upon strengthening the Rule of Law, encouraging investment in the productive sectors, stabilizing the labor environment, and on broadening the consensus among various groups in civil society and the government on realistic development goals and methods for their achievement.

III. TEAM OBJECTIVES / ASSESSMENT METHODOLOGY

Team Objectives

Democracy and governance problems in Jamaica are of increasing concern to the USG (State, USAID, Justice, Defense) and to the international donor community. This is true at both the broad foreign policy level and in a more operational sense. Broadly speaking, Jamaica's democratic development: respect for the rule of law; development of civil society institutions; promotion of fair elections with an informed electorate; and its protection of human rights – are all important to the United States and to the stability of the Caribbean. Yet Jamaica's failure to move beyond a clientilistic politics of "political tribalism" and incorporate pluralistic and participatory traditions into its body politic, has negative impacts throughout Jamaican society. The polarization of politics along party lines gives little scope to work outside party structures for change, and promotes a perception that development is ultimately a zero-sum game.

For USAID this lack of broad-based democratic development is manifest in poor performance vis-à-vis the Mission's strategic objectives. After 40 years of assistance, and nearly $2 billion expended, there is far less to show for the investment than should be the case. The World Bank has had a similar experience. While there are examples of USAID-funded institutions and programs in Jamaica that have been effective and did bring positive change, overall the impact has been disappointing. The provision of bilateral assistance through government and a paternalistic party system, which had been more the case in earlier years, financed some good works, but has also supported a dependency on government for jobs and other benefits. There are few examples of non-government and non-party affiliated organizations able to translate public interest into action. More common is the use by party structures and ministries of civil society groups more as "sounding boards" for centralized decision making. Meanwhile, the lackluster economy has eroded the authority of this traditional political system, especially in the inner city communities of Kingston Metropolitan Area (KMA)[3], where drug-dealers and other criminal elements have become both prosperous and powerful.

Clearly, the time is right to carefully examine the situation of Jamaica from a democracy and governance perspective, with a view to determining areas in which USAID might actively be able to engage.

[3] The KMA includes the parishes of Kingston and St. Andrew and that of St. Catherine.

Assessment Methodology

The assessment methodology used to pursue the above outlined objectives began with the production of a desk study by Dr. Ivelaw Griffith and a review of this study by USAID/Jamaica, LAC, and the Center for Democracy and Governance in March 2001. Building on the desk study, the full assessment team convened in Kingston between March 25 and April 14, 2001 and set out to confirm the principal findings of the study while also expanding on important areas of interest to USAID, and potentially the broader external donor community.

The team drew on a host of briefing materials provided by USAID/Jamaica in preparation for field work and held informational meetings with IDB, Georgetown University, ICITAP and Jamaican ex-patriot groups in Washington before leaving for Kingston. In Kingston they began by providing briefings for and gathering information from USAID/Jamaica staff, and Embassy personnel. The team then conducted a series of interviews with a broad array of Jamaican political actors, civil society-based groups, business leaders, government officials, police, community leaders, activists, representatives of the press, academics, and other donor agencies working in Jamaica. The team used the document Conducting a DG Assessment: A Framework for Strategy Development, as the analytical guide for this study and adapted it as appropriate to reflect Jamaica specific concerns. Interviews took place both at USAID/Jamaica and at the offices of officials. The team conducted field observation visits attending meetings of civil society groups, and also visited a number of Kingston communities encountering grass-roots community groups in their own milieu. The team also gathered data from books, data bases, pamphlets and other promotional materials, newspapers and news broadcasts, and informal interviews; all accessed while in the field. All these data sources combine to inform and shape this assessment.

The heart of the assessment tool is the use of five variables that allow the analytical organization and synthesis of the inevitably complex and variegated context of any nations contemporary political life. The five variables with brief explanation are found in Appendix B.

IV. KEY POLITICAL PROBLEMS AND ISSUES

Political Culture and Political Parties

As one of the key political problems that Jamaica currently faces, a political culture of clientalism, this deserves specific attention. Political culture refers to political orientations within a society and attitudes manifested by its citizens towards the political system, its component parts, and to citizens' roles in the system.[4] In the case of Jamaica, it is widely accepted that the political culture is characterized by clientelism, patronage, and "political tribalism".

[4] The definition follows the approach of Gabriel Almond and Sydney Verba in *The Civic Culture* (Boston: Little, Brown, and Co., 1965), p. 12.

The assertion by political sociologist Carl Stone two decades ago still has considerable validity: "Clientelism in the Jamaican context promotes competitive politics, but … the rules of the game … limit the level of competitiveness and constrain genuine democratic forms associated with parliamentary democracy…. Clientelistic competitive politics survives in Jamaica partly because the mass publics continue to believe that the political bosses have a capability to manage the state system effectively. …"[5] Political behavior in Jamaica also supports Stone's view that clientelism is under-girded by political values that deeply respect the exercise of political power, and at times place access to political patronage above the importance of citizens' rights.

This orientation and attitude is said to have several consequences. Among other things, it:

- Promotes personalized authority and, therefore, weak institutions.
- Encourages low levels of accountability in political life.
- Sustains an agenda of issues debate controlled by the dominant political bosses and hinders the development of a civic sense of national interests that rise above partisanship.
- Presents intimidating obstacles that repress free public debate and discourages the idea that governance is the preserve of the power brokers.
- Survives on a competitive basis because neither of the two major parties has been able to maintain winning majorities for more than two terms in office, principally because of the inadequate flows of material inducements related to economic underdevelopment. In addition, there exists a cultural norm which seeks to effect a change in the guard before it becomes too entrenched and complacent
- Leads citizens to blame everything on the politicians from whom miracles are expected, and accepting little responsibility for happenings in the public arena.[6] Citizens typically view their responsibilities as limited only to voting and rarely contact their representatives to lobby on issues of concern.[7]
- A development of a "winner-take-all" attitude on the part of the majority party and its constituencies.
- An almost total lack of consensus, even on issues recognized by all political players as highly problematic for Jamaica.

However, societies are dynamic, not static. Thus, one expects there would have been change in Jamaica relative to some of the features Stone identified two decades ago. In fact, some change has occurred, including in relation to free public debate. Yet, there is cause for concern about attitudes by citizens towards the political system and to their roles within it. For instance, political scientist Trevor Munroe recently drew attention to a 1995 study in which two-thirds of the respondents felt the country's political system was dysfunctional and needed fundamental change.[8]

Political parties are at the heart of the clientalistic political system in Jamaica. The major political parties date to the 1930s and 1940s, when the two main parties were formed. The PNP,

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[5] Carl Stone, *Democracy and Clientelism in Jamaica* (New Brunswick, NJ: Transaction Books, 1980), p. 109.

[6] Stone, Ibid.

[7] Assessment Team field notes.

[8] See Trevor Munroe, *Renewing Democracy into the Millennium: The Jamaican Experience in Perspectives* (Kingston: University of the West Indies Press, 1999), p. 42.

which now rules, was formed in 1938, and the JLP was established in 1943. The parties arose against several backdrops. One was in a context of efforts to redress workers' grievances in the aftermath of the depression of the 1920s and 1930s. Second, there was pursuit of internal self-government due to dissatisfaction over British colonial rule. Third, political party pursuits developed synergies with unionism. Last, but not least, Jamaica had charismatic leaders who "seized the moment":--Norman Manley in the case of the PNP and Alexander Bustamante in the case of the JLP.[9]

The PNP and JLP have so dominated Jamaica's political landscape that the country has become characterized by two-party politics. Since 1944, when universal adult suffrage was introduced, the two parties have alternated control of the nation's political machinery. The JLP won in 1944 and 1949, and the PNP won in 1955 and 1959; the JLP then went back in 1962 and 1967, and the PNP in 1972 and 1976. The pendulum then swung back to the JLP, which won in 1980 and 1983 (when the PNP boycotted). Since then, the PNP has been in power, having won in 1989, 1993, and then an unprecedented third term in 1997.[10]

In terms of political profile, the PNP traditionally has been viewed as articulating interests that resonate with working class interests, and in the 1970s it adopted a distinctly leftist ideological posture, touting democratic socialism, with concomitant economic, social, and foreign policy pursuits. On the other hand, the JLP has been seen as the conservative party, with business and upper class interests defining its pursuits, and a strong interest in strengthening alliances with the United States.[11] In the current context, there are few notable ideological or economic policy differences between the two parties. As Carlene Edie notes, "From 1989 until the present (2000), there have been no fundamental differences between the JLP and the PNP in the area of economic policy."[12] This absence of difference extends beyond economic policy, to domestic policy generally and to foreign policy.

Even in the heyday of the ideological divide between the two parties, there was a commonality in their approach to interest articulation, aggregation, and representation: intense competition, emotionally driven, zero-sum partisanship, a willingness to use violence to define or protect interests, patronage, and personalized authority of the party leader. In spite of significant improvements in the efficiency and transparency of electoral politics as well as an important decrease in elector violence in 1997, these features largely persist.

In addition to the two main parties, over the years there have been approximately 34 "third" parties.[13] As happens elsewhere, many of the third parties develop at the time of general

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[9] For a first-hand examination of the early years of labor and party organization, see Richard Hart, *Rise and Organize: The Birth of the Workers and National Movements in Jamaica (1936-1939)* (London: Karia Press, 1989).

[10] For an examination of reasons for the 1997 historical shift, see Munroe, *Renewing Democracy into the Millennium*, chapter 2; and Carlene J. Edie, "Economic Performance, Leadership Crisis, and Voting Behavior in the 1997 Jamaican Parliamentary Elections," *Social and Economic Studies* Vol. 49 No. 1 (March) 2000, pp. 183-210.

[11] An interesting historical note in this respect is that Edward Seaga was the first foreign leader to meet with President Ronald Reagan following his inauguration in January 1980.

[12] Edie, "Economic Performance, Leadership Crisis, and Voting Behavior in the 1997 Jamaican Parliamentary Elections," p. 187.

[13] For a note on each of the "third" parties, see Electoral Office of Jamaica, available at www. eoj.com.jm/Scripts/japarty.html

elections and disappear afterwards, having had their hopes for political representation dashed. The National Democratic Movement (NDM) is the only "real" third party currently. Bruce Golding, then JLP Chairman, and other JLP leaders and members broke with the JLP and formed the NDM in 1995 because of disenchantment with JLP leadership. The NDM contested the 1997 elections, fielding candidates in 58 of the country's 60 constituencies, a first for any third party. It garnered only 4.8 percent of the votes, and no seats. The party performed just as poorly in the March 2001 by-election in North-East St. Ann's, gaining a mere 740 of the 15,000 votes cast, 4.9 percent. This scenario precipitated the resignation of Bruce Golding as party leader. At the sixth annual conference in May, the first female party leader in Jamaica, Hyacinth Bennett, replaced Golding, but the future of the NDM remains uncertain, as the party has been unable to transform its message into votes[14].

Apart from the entrenchment and dominance of the PNP and JLP, and the patronage politics that characterize the political landscape, Jamaica's electoral system itself systemically undermines the prospects for third parties to secure a parliamentary foothold. As one writer explains, "the first-past-the-post system has kept new third parties like the NDM, with some national support but no concentrated constituency base, from gaining parliamentary representation. In the context of Jamaica's long standing clientelistic political system, the 'first-past-the-post' system is even more effective in keeping new parties out than varying combinations of violence, force, and fraud."[15]

The actual function of clientalisim in the current two party context is of some interest. The currency of the clientalist system in Jamaica is the provision of government projects that in turn produce jobs for the constituencies who provide political support for the party in power. When a new party comes to power the source for major government jobs are controlled by the incoming party, major projects and initiatives that were pursued by the outgoing party are often abandoned or severely neglected. The party bosses, usually in the person of the MP, are actually quite visible and generally responsive in terms of their interaction with the communities that they represent. On a recent visit to a community meeting in Kingston, two members of the assessment team witnessed the patron – client system in action. An MP was introduced to the community association and seemed to be well known to most of the community members present. On taking the floor the MP described a new set of projects that were about to be funded for the constituency and fielded questions from the group. Most questions surrounded the provision of the jobs and equitable distribution of jobs to each "corner" of the constituency. The MP got bitter criticism because the last public-works project had allowed a neighboring constituency to soak up some of the jobs that the present constituency believed to be theirs. While the meeting was participatory and allowed for a healthy meeting of the grass-roots constituents with their leaders, the tenor and underlying assumption of clientalism was palpable. A sense of public good and civic virtue was no where evident and perhaps not be expected in this context, nonetheless, as an illustration of the clientalistic system the experience seems telling.

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[14] Out-going NDM founder and president Bruce Golding urged party members at the conference to resist the temptation of resorting to old time politics, specifically buying votes, and to stick to the principles which gave birth to the movement. (The Gleaner, May 28, 2001).

[15] Edie, "Economic Performance, Leadership Crisis, and Voting Behavior in the 1997 Jamaican Parliamentary Elections,", p. 200

Economic Condition

Not only is politics about who gets what, when and how, but in a system that places a high premium on patronage politics, it may be said to be about who get how much, from whom, and for how long. Current economic conditions in Jamaica pose significant political challenges as they aggravate problems of inclusion, increase incentives for criminal activity, and provide greater cover for corrupt actions. While economic conditions can be viewed as both cause and effect of poor democratic performance, linkages are widely evident across the globe, and Jamaica is no exception.

According to Tony Payne, "[p]olitics in Jamaica in the mid-1990s is more about style and spoils than substance. The trouble is that styles are dull and the spoils are scarce."[16] This spoils scarcity is directly related to the economic travails that Jamaica has been experiencing over the last few decades as it dealt with huge debts, structural adjustment, and little real growth in the economy. More than this, though, argues one scholar, has been a two dimensional crisis of the state. "First, the state is losing its already tenuous ability to shape and direct national development. Second it is losing the capacity to determine and shape the limits of political activity directed toward maintaining a social and legitimizing base." Thus, as people see themselves less as part of a collectivity and more as individuals with specific interests, they become depoliticized relative to traditional institutions of the state and to political parties."[17]

Nor has the economic situation improved since the mid-1990s. Quite the contrary, a recession – characterized by negative or flat GDP growth – has gripped Jamaica since 1995, and while the results for 2000 represent positive growth of less than 1.0 percent, this will do little to restore the loss in real output of the past five years.[18] Although the IMF has commended Jamaican authorities for its progress in implementing the current staff monitored program (SMP) begun last July, severe economic difficulties remain, some of which are directly linked to the 1997 financial sector crisis and costly bailout. High interest rates, an over-valued exchange rate, and a large public debt proceeding from the financial sector crisis depress investment and growth, and constrain job creation. Debt servicing accounts for 62.4 percent of Jamaica's current fiscal year budget (2001-2002), and the budget reflects cuts of over 15 percent in several ministries, including Local Government, Health, and Industry and Commerce. High unemployment (coupled with significant under-employment and growth of the informal sector) as reflected in public opinion polls, is widely regarded as Jamaica's most pressing economic problem.

Despite the lack of GDP growth and high official unemployment, a strong informal economy, overseas remittances, and - some would conjecture – drugs, have thus far prevented significant

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16 Anthony J. Payne, *Politics in Jamaica* (New York: St. Martin's Press, 1995), p. 144.

17 Grant-Wisdom, Ibib, p. 202.

18 GDP growth in 2000, due largely to performance in the construction industry, tourism and, to some extent, the manufacturing and financial sectors, suggests the economy may have bottomed out. Standard and Poor's recently assigned a single B rating to short term foreign and local currency and a B+ to long term local currency rating. Hence, it was felt: "The change in outlook from stable to positive reflects better prospects for improved creditworthiness arising mainly from restructuring of the country's financial sector along with tight fiscal policy." See U.S. Embassy Jamaica, *Jamaica: Economic Overview*, available at http://usembassy.state.gov/kingston/wwwhfeoj.html.

increase in poverty levels. Nonetheless, poverty rates are on the rise[19], and there is a very deep gap between the haves and the have nots.

The country's economic condition is not merely its statistical indicators; the quality of life consequences for citizens in various socio-economic classes have been real. Both the quality and quantity of social services have declined due to reduced real public sector spending for national security, infrastructure, and public health, among other things.[20] Due to the weak performance of governmental institutions and their inability to provide services to communities, particularly those in the inner city areas, parallel, informal structures have developed. For example, one specific manifestation of this is seen in the community reliance on alternative providers of services normally furnished by the state, such as payment of school fees and medical bills, and provision of neighborhood security by so-called community leaders "dons".

The Drama of Drugs

The country's economic and social condition has intensified the competition for spoils. Yet, there are other complications, including the drama of drugs, which serve to distort elements of economic life and warp people's attitude towards political authority. Thus drug trafficking poses dangers to democracy and governance in both the short and long term.

Jamaica's "drug problem" should not be viewed in parochial terms, as it is a manifestation of a transnational phenomenon. In broad conceptual terms, it may be examined in the context of regional geonarcotics. The concept of geonarcotics captures the dynamics of three factors besides drugs: geography, power, and politics. It posits that the drug phenomenon is multidimensional, with four main problem areas--drug production, consumption-abuse, trafficking, and money-laundering. It also suggests these give rise to actual and potential threats to the security of states, and that drug operations and the activities they spawn precipitate both conflict and cooperation among various state and non-state actors.

In geonarcotics[21] terms, Jamaica's geography, politics, and power combine to facilitate its deep implication in the drama of drugs. Jamaica's subtropical climate makes the entire island ideal for cannabis cultivation. Ganja, as marijuana is popularly called, is harvested in two main annual seasons, of five to six month cycles. However, the *indica* variety matures in three or four months, making four harvests possible. Marijuana has had a long history of accepted socio-religious use in Jamaica, and it still is important to the Rastafarians, an Afrocentric social-religious group for whom it is an herb with biblical justification for its use.[22]

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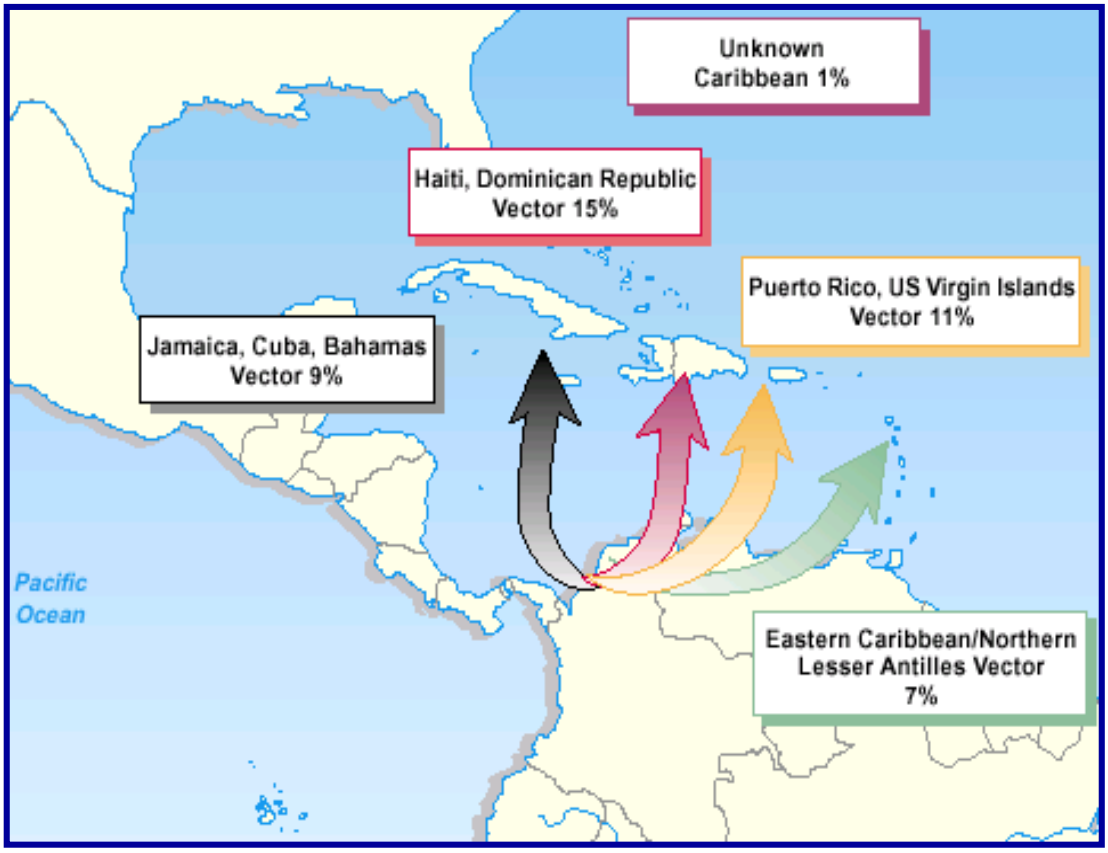
[19] Poverty for 1999 was 17 percent, up from 15.9 percent in 1998 (Jamaica Survey of Living Conditions, 1999).

[20] See Planning Institute of Jamaica Annual Survey for other examples of stagnant quality of life.

[21] For the original geonarcotics exposition, see Ivelaw L. Griffith, "From Cold War Geopolitics to Post-Cold War Geonarcotics," *International Journal* Vol. 48 Winter 1993-94, pp. 1-36, and for an empirical study based on it, see Ivelaw L. Griffith, *Drugs and Security in the Caribbean: Sovereignty Under Siege* (University Park: Pennsylvania State University Press, 1997).

[22] According to Scott MacDonald, the biblical references are Genesis 1:12 and 3:8; Exodus 10:12; and Psalms 104: 14). See his *Dancing on a Volcano: The Latin American Drug Trade* (New York: Praeger, 1988), p. 91. For a discussion of the ritual smoking of ganja by Rastafarians, see Barry Chevannes, *Background to Drug Use in*

Figure 1 Narcotics Flows through the Caribbean



With respect to trafficking, Jamaica has long been key to the drug trade, given its long coastline, proximity to the United States, its many ports, harbors, and beaches, and airstrips, and its closeness to the Yucatan and Windward Passages. Trafficking takes place by both air and sea, with traffickers using a variety of methods to move their merchandise. According to the latest *International Narcotics Control Strategy Report*, "Jamaica-based traffickers use couriers who board commercial airlines attempting to smuggle cocaine that they have ingested or concealed in their clothing or luggage. U.S Customs reports that more than 63 percent of all arrests at U.S. airports for cocaine possession involved flights originating in Jamaica."[23] And the Assessment Team was told that approximately 67 percent of all persons arrested for drug trafficking in the Miami airport are Jamaicans.

Drugs are associated with increased crime, corruption, arms trafficking, as well as adverse social and health consequences, and lost economic opportunity. In the context of a stagnant economy,

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Jamaica, Institute of Social and Economic Research Working Paper No. 34, University of the West Indies, Jamaica, 1988, pp. 11-12.

[23] U.S. Department of State, *International Narcotics Control Strategy Report 1999*, March 2000, available at www.state.gov/www/global/narcotics_law/1999_narc_report/carib99_part3.html.

the increased money available from the drug trade serves as an incentive to engage in crime. Moreover, these all have an impact on agents and institutions of security and governance.

Two specific examples, with clear economic and governance elements, will suffice. First, in November 1998 an American-owned company named Cupid Foundations closed operations in Jamaica after 22 years. Cupid no longer could afford the fines incurred with the seizure by U.S. Customs of its merchandise because of attempts to smuggle drugs into the United States among its clothing. That decision placed some 550 people out of work in Jamaica. Secondly, since mid-October 2000 Jamaica has been witnessing a serious drug-related drama, involving high-level police corruption and illegal wire-tapping of major government officials, including the Prime Minister, among others. The Prime Minister himself has noted the serious national security implications of the case.[24] It is reported that during the year 2000, there was a doubling in the amount of cocaine trafficked through Jamaica. These examples reinforce the nexus between "the drug problem" and Jamaica's the socio-economic condition.

While the drug phenomenon has economic (and social and political) costs, it also has economic (and social and political) benefits. The costs include the negative impact on the tourism and apparel industries, fines imposed by the United States, and the distortions in resource allocation and use. Benefits include employment, income generation, and revenue enhancement.[25]

V. FIVE VARIABLES

Introduced above, the assessment variables provide a systematic means of examining concepts that are key to the well-functioning of any democratic society. All societies fall short on some aspects of these variables and they should not be understood as a proxy for American style democracy. Instead we use them to better view issues and problems that are unique to the Jamaican circumstance and that can help shape reasoned programming responses to particular challenges.

Consensus:

Whether (a) there exists basic agreement on the most fundamental rules of political life, (b) there is agreement on the parameters of the state and definition of citizenship, and (c) there is agreement on the rules for achieving power.

Consensus is sought in societies not so much as an end in itself, but generally to facilitate social harmony, economic prosperity, and stable political rule. Political stability itself is not an automatic condition; instead it is the outcome of various factors. Huntington notes: "Political stability is in part the product of historical conditions and social forces, but it is also in part the result of choices and decisions made by political leaders."[26]

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[24] See *Statement to Parliament by Rt. Hon. Prime Minister P.J. Patterson, Q.C, Tuesday, 24 October 2000*, available at www.jis.gov.jm/PM_Speeches_2000/PM's_Statement_to_Parliament.htm .

[25] See, for example, Ivelaw L. Griffith, "Drugs and Political Economy in a Global Village," in Griffith, *The Political Economy of Drugs in the Caribbean*.

[26] Huntington, *Political Order in Changing Societies*, p. 329.

Jamaica presents a generally positive picture on some aspects of this variable. To the extent that consensus refers, as above, to basic agreement on the most fundamental rules of political life, including 1) the definition of the territorial boundaries; and 2) definition of citizenship, Jamaica has few problems or issues. Indeed, it is axiomatic that boundaries are fixed and basic citizenship rights are universal and widely respected in principle if not always in fact. There is also agreement on the basic rules and principles that govern the process of achieving political power. Here again, Jamaica demonstrates a high level of consensus on this dimension. For Jamaican politics, electoral, parliamentary "democracy is very definitely the 'only game in town' ".[27]

Although there is general consensus in all these areas, Jamaica has recently gone through a period where fundamental institutional reform was on the table. Despite several efforts through Parliamentary Commissions, they have been unable to reach consensus. Overall, the power elite is yet to act definitively on the over-arching rules of the game and this area is not one that the assessment team found much interest in among their interlocutors.

In Jamaica, there is fundamental acceptance of the need for a political system based on democratic choice and popular consent, as opposed to one based on autocracy or dictatorship. Yet, it is because of a perception that politicians manipulate the rules of governance that consensus is often elusive. This in turn, leads to a growing level of disenchantment on the part of many citizens. Thus, at the level of grand vision and leadership for Jamaica there is a marked *lack* of consensus. The assessment team had numerous people indicate that consensus at this level was an endemic problem and a serious hindrance to the deepening of democratic reform in Jamaica. It could be said that the consensus among Jamaican political elite regarding the rules of the political game is one that has consigned most average Jamaican citizens to political "outsider" status. With little to lose, Jamaica seems to be seeing a pattern in which once high levels of electoral participation are dropping. Those exiled on the outside of politics have little incentive to be involved as they become disenchanted with the unresponsiveness of the state and its political gatekeepers. Thus this lack of higher-level consensus has a direct and negative impact on democratic governance in Jamaica.

Rule of Law:

Is the consensus enforced and or enforceable? (a) there are basic legal structures for public and private activities and interactions which the state and society are committed to, (b) basic human rights are observed and the rule of law is applied equitably, (c) personal security is guaranteed by the state, and (d) the judiciary has integrity and independence.

The team believes that there exists a basic framework of laws and the institutions to uphold and enforce these laws. There is a less than desirable landscape in the general area of human rights. In view of the escalating crime situation, personal security cannot be guaranteed by the state, particularly in inner city communities. Finally, the judiciary is generally viewed as honest and independent, but is woefully overburdened and inefficient.

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[27] Munroe 2000, 17.

This section looks at issues related to the operations, efficiency and public perception of the major institutions of justice in Jamaica, as well as non-governmental institutional structures that focus generally in the area of justice in Jamaica.

The Courts and the Judiciary

The Constitution provides for an independent judiciary, which generally exists in Jamaica. However, the judicial system is overburdened and operates with inadequate resources. The lack of sufficient staff and resources hinders due process. Trials often are delayed for years, and other cases are dismissed because files cannot be located, or the investigative processes are inadequate to support the charges brought. Night court was instituted in 1995, and Small Claims courts were also introduced. However, significant delays are still the norm. For example, in civil cases it is not unusual for six years to elapse prior to final disposition of the case.[28]

Contributing factors to the serious problem of court delays and case backlogs
- Inappropriate cases, lack of alternative dispute resolution
- Lack of automated case-flow management, computer systems
- Antiquated court transcription

Within the Jamaican courts system, the Resident Magistrates (RM) Courts are pivotal to the administration of justice in that they handle approximately 85% of the civil and criminal cases brought before the courts in Jamaica. Over the years, however, the increasing numbers of civil and criminal cases have seriously stretched their administrative capabilities. A major contributing factor to the case backlog problem is that proceedings in all RM Courts are transcribed in long-hand by the Resident Magistrate. At present, none of these courts are provided with automated court reporting equipment. Effectively, therefore, the pace of proceedings in the Resident Magistrates Courts can go no faster than a Magistrate can write. Further complicating this delay are problems associated with filing and retrieval of case files and trial notes, and transfer of RM's from one jurisdiction to another, frequently leaving the incoming Magistrate without the evidentiary and documentary bases for pursuing pending cases.

With respect to the Supreme Court, it is to be noted that while this Court has automated court reporting facilities, with some donor support as described below, the sheer volume of civil cases being filed from an increasingly litigious populace ensures that there is a recurrent backlog of civil cases spanning each court term. It is extremely difficult to clear this recurrent backlog.[29]

Director of Public Prosecutions

The Director of Public Prosecutions (DPP) has the legal authority to initiate, continue or discontinue all criminal proceedings in any court in Jamaica. These cases include Extradition, Mutual Legal Assistance and Money Laundering. The Director of Public Prosecutions has a

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[28] Planning Institute of Jamaica, *Economic and Social Survey of Jamaica 1999*, Ibid., pp. 23.8-23.9. For a thoughtful and fairly recent commentary on "the judicial condition" by a respected academic, see Errol Miller, "The State of the Jamaican Justice System," *The Gleaner* July 20, 2000. See appendix

[29] A listing and description of recent judicial reform efforts is found in Appendix C.

very specialized mandate to which has recently been added jurisdiction over a new Financial Crimes Unit (FCU) tasked with the prosecution of white-collar crimes. Training on asset forfeiture and money laundering could benefit FCU staff. Another area that falls within the mandate of the DPP, and which has significantly contributed to an increased demand for their services, relates to prosecution of members of the Jamaica Constabulary Force. Similarly, the DPP will be responsible for prosecuting public officials referred to it by a four-person Commission under the Corruption Prevention Act of 2001. As with the courts, the efficiency of the DPP's Office is hindered by a lack of automation and a computer link to the Police Computer Center that would enable the sharing of critical information on police investigations between both organizations.

Office of the Public Defender

The Office of the Public Defender is charged with the representation of citizens in court who have been wronged because of some action on the part of the State which results in hardship, injustice or constitutional violation. The Office of the Public Defender operates in an environment where resources needed to hire requisite private legal counsel are typically lacking. Last year, for example, the OPD unsuccessfully sought assistance from donors to bring forward Constitutional cases related to the rights of HIV/AIDS patients, Rastafarians, and to the taking of police photographs. The lack of any public education program on the role and function of the Office of the Public Defender further restricts its ability to engage different segments of the society. In addition, management information systems are antiquated, with critical data still being collected and stored manually.[30]

The Prisons

The prison situation is unwholesome, both in terms of the overcrowding and the quality of services within them. The 1993 Wolfe Report found that prisoners were required to eat with their hands for security reasons, a situation deemed "inhuman and degrading." Meals were found to be generally "revolting in appearance and taste." In some places, "the diet fed to the cell occupants should be consumed only by pigs." The Wolfe investigation also found that prison indiscipline abounded and that all sorts of malfeasance and abuse existed in the Jamaican prisons along with significant overcrowding. Such problems persist. The State Department's Human Rights Report for 1999 noted (as it had in previous years) that: "Prison conditions remained poor; overcrowding, inadequate diet, poor sanitary conditions, and insufficient medical care are typical".[31]

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[30] Assessment Team Notes

[31] See http://www.state.gov/g/drl/rls/hrrpt/2000. One effort underway to help address prison over-crowding, involves utilization of "Community Service Orders" issued by the Resident Magistrates Courts in lieu of imprisonment for persons found guilty of non-violent offences. A British Department for International Development (DFID) pilot program is currently underway in three parishes and will be evaluated this summer. It is anticipated that further assistance will be needed for more effective supervision of persons serving sentences under Community Service Orders, and to ensure that the interpretation and application of the Community Services Order regime is the same throughout Jamaica.

Insofar as the staff of the Correctional Service, not only are they under-trained, but lack of staff has become a serious problem. In May 2000 a riot at the St. Catherine's district prison led to reports of beatings by Jamaica Constabulary Force (JCF) guards and Jamaica Defense Force (JDF) soldiers of 300 inmates. The JDF soldiers had been in charge of prison security at St. Catherine's following a work stoppage by guards in January. The JDF has no mandate to maintain law and order in Jamaica, and this is not a role for which the JDF is suited, nor one that they wish to play over the long term.

The problem of pretrial detention is also serious and correlates directly to the lengthy trial processes described above. This complicates problems of prison overcrowding. As with other components of the judicial system in Jamaica, the Correctional Service also has inadequate and non-automated records keeping systems for prisoners. In the case of the prisons, this has resulted in some "lost" prisoners who have languished for lengthy periods of time in prison before their cases have been brought before the courts and adjudicated. In one very recent example, a mentally challenged individual charged with throwing a rock at a window, was initially judged unfit to plea. The judge remanded him to prison for counseling and medical evaluation, following which he was to return to court. He returned some 29 years later, only when his situation was brought to the attention of authorities by other prisoners and following concerted action on his behalf by the Legal Aid Council and one of the more active NGO's that work in the sector, Jamaicans for Justice.[32]

The Jamaica Constabulary Force

The ability of the JCF to assure citizen security is severely taxed, and the force has been unable to fully adapt to the nature and growth of violent crime in Jamaica.[33] The problems associated with crime and violence have escalated in recent years, especially in the urban inner city areas of Kingston. Indeed, the situation has been described as a "sub-culture of violence", where "badness" is valued and inordinate respect is accorded to gunmen. As the economic condition of the country has worsened, the level of crime has risen to a point where violence and acts of brutality are increasingly extend beyond the inner-city communities, where gang activities have been longstanding problems.

Using easily available guns, and Jamaica's position as a major transshipment point in the traffic of narcotics, criminal violence now results more from criminal intent than from political motivation. More and more, police find themselves both out-gunned and out-numbered when confronting the crime situation; arguably, this has contributed to some widely publicized cases of extra-judicial killings, particularly in the Kingston area. The police are increasingly frustrated by their lack of access to certain communities that are controlled by gangs or crews. This in no way excuses police excesses however and while there is a lack of hard statistical data regarding actual cases of police abuse of authority, there is widespread public perception that such abuses take place routinely and that the police often act with impunity.

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[32] See Assessment team filed notes, Jamaicans for Justice Meeting Agenda, March 29, 2001 and "The Gleaner" March 28, 2001 (1).

[33] Anthony Harriot, Police and Crime Control in Jamaica.

Aggravating an already difficult crime control situation facing the police is the fact that the citizenry generally do not hold the police in high regard and are frequently reticent to provide information regarding criminal activity. In part, this is due to a fear of retribution, but a significant contributing factor is that the public have little respect for the police (especially those in the inner-city) and do not believe the police are capable of ensuring their safety if they do agree to serve as witnesses. One reaction to this situation has been the publication and distribution of a booklet entitled: *A Code of Conduct for Police-Citizen Relations in Jamaica*.[34] There is also a clear need to strengthen the existing Witness Protection Program.

The impact of crime and violence does not only touch Jamaicans residing in Jamaica, it also affects those residing abroad, and has negative fallout in other countries, principally the US, Canada, and the UK. While admittedly a two-way street, it is indisputable that the export of crime has become a serious problem, both in Jamaica and abroad. Two aspects of the internationalization of crime that were raised repeatedly with the Assessment Team pertain to import of firearms into Jamaica and the flow of "deportees" from the US and other countries following completion of prison sentences. Over the past five years, 4,168 deportees have been returned to Jamaica from the United States, and although actual data do not substantiate the point, it is widely believed that deportees are contributing to violent crime in Jamaica.[35] It is noteworthy that the IADB is planning a deportee reintegration program as an element of its Citizen Security and Justice Program with the GOJ.

In terms of numbers, the JCF is understaffed. With an authorized strength of 8500, the actual number of sworn officers is approximately 7200. In addition, many of their physical facilities are in a dilapidated condition and equipment is both inadequate and in short supply. Capital expenditure constraints have been especially severe. Particularly problematic is the lack of standard communications equipment and systems. Insofar as forensic capabilities, current laboratories do not have the necessary equipment to ensure scientific evaluation of evidence. Further, the inadequacy of investigative procedures (protection of crime scenes, collection of evidence, chain of evidence, etc.) often impairs successful prosecutions.

There have been few successful reforms carried out by the JCF, and it is clear that a major program of reform is required. Recent studies, both internal to the JCF and by external donors including DFID[36] and the Police Executive Research Foundation (PERF), have recommended a reorientation of policing in Jamaica towards a community policing model. Given the paramilitary structure of the current force, significant restructuring and retraining will be required.

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[34] *A Code of Conduct for Police-Citizen Relations in Jamaica* Jamaica Chamber of Commerce – Innercity Development Committee.

[35] Violent Crime and Murder Reduction in Kingston, Police Executive Research Forum (PERF), January 2001, p. V.

[36] In addition to its pilot program to facilitate use of community service orders for non-violent crimes, DFID has recently launched a US$4.5 million "Jamaica Constabulary Reform and Modernization Project" that will focus on the structure, culture, and style of policing, intelligence systems, investigative skills, management information systems and forensic capabilities.

Human Rights

While not detracting from the commendable actions of some agents and agencies, the general translation of constitutional guarantees of human rights into real form and substance is often very problematic. One gets a sense of this from the reporting on Jamaica in the latest annual report on human rights issued by the U.S. Department of State.

The 2000 report—covering 1999--shows that generally the Jamaican government respects the human rights of its citizens. Nonetheless, it states that members of the security forces committed extra-judicial killings and beatings and carried out arbitrary arrests and detentions. Although the Government sanctioned some of those involved, continued impunity for police who commit abuses remains a problem. Violence and economic discrimination against women are also problems, but child labor is not. Mob violence against persons suspected of breaking the law also remained problematic.

There were no reports of political killings, but security elements often used lethal force in apprehending criminal suspects, usually under the guise of shoot-outs. This resulted in the killing by police of 129 persons during 1999 and the killing of 11 police officers. The homicide rate in Jamaica exceeds 30 per 100,000 (compared to approximately 6 per 100,000 in the U.S.). While allegations of "police murder" were frequent, the validity of some of the allegations is suspect. It appears that this problem may result from unresolved, longstanding antipathy between the security forces and certain communities, especially among the urban poor.

Police killing sparked controversy again in March 2001 when seven youths in Braeton, St. Catherine, were killed by the JCF's Crime Management Unit. Various local human rights groups and Amnesty International (AI) sharply criticized the security forces for its handling of the incident, and AI's report "Jamaica Killings and Violence by Police" and private autopsy findings drew national attention and public debate between the human rights groups and those who saw the police action as an appropriate response to the island's chronic crime problem. In his April 26 budget speech to Parliament, Prime Minister P.J. Patterson staunchly defended Jamaica's human rights record. He voiced commitment "to having a professional police force, respectful of rights…. and above all, acting always in accordance with the law." He said the GOJ would like to implement a U.S. police consulting group's recommendations (the PERF Report)[37] to reorganize the police force, which would complement initiatives being funded by the British and Canadian governments. He warned, however, "you don't simply change the culture and structure of the police force overnight.".

A Human Rights Watch (HRW) report published in July 1999 detailed frequent and credible allegations of police abuse in lock-ups, including severe beatings, mock executions, and rape. The Government has not denied the report's allegations (and one government Minister admitted that the situation did not differ much from that described in a 1994 HRW report). Human Rights Watch noted that the Government responded quickly to remove some children from lockups. But it also noted that the Government needed to undertake a systematic effort to curb police abuse effectively and act against officers who commit abuses.

[37] PERF – under the auspices of the American Chamber of Commerce (AMCHAM) has made 82 recommendations for reducing crime and violence (particularly homicides) in Jamaica.

The human rights portrait above points to various structural and operational deficiencies on the part of the agents and agencies charged with giving life to the rule of law tenets and principles. Some of this is a function of resource insufficiencies under conditions of dramatic crime. 25 years ago, a Jamaican Commissioner of Corrections, presaged "It is no longer possible to think of crime as a simple or minor social problem ... Mounting crime and violence have been declared leading national problems, and the issue of law and order has assumed high priority in national planning and policymaking. Fear of crime is destroying ... freedom of movement, freedom from harm, and freedom from fear itself."[38] The similarity to current security issues in Jamaica is striking.

To their credit, most of the political managers within the criminal justice establishment find the abuse and corruption unacceptable, as the following declaration indicates: "There can be no greater cause for alienation between citizens and police than when the latter behave excessively in carrying out their functions. … When the police disregard the basic rights of these citizens the conclusion is that not only are the police oppressive, but the state itself sanctions the oppression. … The upholders of the law must at all times act in accordance with the law, and whenever there are breaches, sanctions must be swift, certain, and transparent."[39] In support of these sentiments, some actions have recently been taken against rogue cops and soldiers within the security establishment, as well as in the criminal justice system at large.[40] While promising, some view these actions as mere window dressing and argue that most abuses go unpunished if not rewarded.

Citizen's Rights

The Constitution prohibits arbitrary state intrusion into the private life of citizens, but the revised Jamaica Constabulary Force Act gives security personnel broad powers of search and seizure. It also provides for freedom of speech and of the press, and the Government respects these rights in practice. The Jamaica Broadcasting Company was privatized in 1997, but the official broadcasting commission is allowed to regulate programming during emergencies. Foreign television transmissions are unregulated and available through satellite antennas. The four largest newspapers, all privately owned, regularly report on human rights abuses, particularly those involving the JCF. While the media in Jamaica is inarguably free, nonetheless, they cannot necessarily fulfill a watchdog role commensurate with the level of freedom found in some countries. In particular, the media is constrained by current libel laws according to which they cannot reproduce information gleaned from international media sources (such as Associated Press reports) unless they are able to produce hard evidence of the veracity of these reports. In a specific example, one media representative has been subject to a judgment of more than $2 million US after reprinting an article carried in the Associated Press concerning a matter on which a Grand Jury had been convened in the US (since Grand Jury information is secret, the corroboratory evidence could not be obtained).

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[38] Dudley Allen, "Urban Crime and Violence in Jamaica," in Rosemary Brana-Shute and Gary Brana-Shute, eds., *Crime and Punishment in the Caribbean* (Gainesville, FL: University of Florida, 1980), p. 29.

[39] *The Criminal Justice System,* Ibid., p. 18.

[40] For recent examples of this, see Glenroy Sinclair, "Massive Transfers in JCF," *Jamaica Gleaner* January 16, 2001; and Barbara Gayle, "Policeman to Pay $307,000 for Assault," *Jamaica Gleaner*, February 11, 2001. See also *The Criminal Justice System*, and *JCF Annual Report 1999-2000.*

There are no legal restrictions on the participation of women in politics. However, they are underrepresented, holding only about 13 percent of all political offices and 30 percent of the senior civil service positions. Two of the 16 cabinet members are women, as is the PNP General Secretary. Several human rights groups operate without government restriction, investigating and publishing their findings on human rights cases. The Independent Jamaica Council for Human Rights (IJCHR) remains the country's only formal organization concerned with all aspects of human rights. However, Jamaicans for Justice was created in August 1999 in response to widespread concern about police impunity. It focuses on the issues of extra-judicial killing and excessive use of force by the police. Government officials are generally cooperative and responsive to the views of human rights organizations though some hostility has been evident as tensions have recently risen.

The Constitution prohibits discrimination on grounds of race, place of origin, political opinions, color, creed, or sex. These prohibitions are generally enforced. Social and cultural traditions perpetuate violence against women, including spousal abuse. Violence against women is widespread, but many women are reluctant to acknowledge or report abusive behavior. The Domestic Violence Act of 1995 became effective from 1996. It provides remedies for domestic violence, including restraining orders and other non-custodial sentencing.

The law provides for the right to form or join trade unions, and they function freely. The Labor Relations and Industrial Disputes Act (LRIDA) defines worker rights. However, only 15 percent of the work force is organized. The LRIDA neither authorizes nor prohibits the right to strike, but strikes occur. Striking workers can interrupt work without criminal liability but cannot be assured of keeping their jobs. Workers in 10 broad categories of "essential services" are prohibited from striking, a provision the International Labor Organization repeatedly condemned as overly restrictive. No strikes were declared illegal during 1999. Domestic labor laws apply equally to the export processing or "free zones." However, there are no unionized companies in any of the three zones--established in 1972, 1985, and 1988--that employ 10,039 workers. Organizers attribute this to resistance by foreign owners in the zones to organizing efforts, but attempts to organize plants within the zones continue.

Police Reform Programs

US funded police reform programs have fallen into two broad categories: those implemented by the Justice Department’s International Criminal Investigative Training and Assistance Program (ICITAP) during the period from 1986 through 1997, and those funded by the State Department Bureau for International Narcotics and Law Enforcement Affairs (INL) and delivered by other US law enforcement agencies. Those in the latter category have largely been training activities.

ICITAP’s assistance programs can be divided into three categories:

1) Training: ICITAP delivered a wide variety of training courses, to include basic, in-service, and specialized training (particularly in the area of investigations and forensics). In the area of forensics, ICITAP also provided material assistance in the form of crime scene analysis

kits. To facilitate the institutionalization of this training, ICITAP also developed comprehensive curricula including lesson plans, classroom materials, and slides.
2) Founding of the regional Association of Caribbean Commissioners of Police (the ACCP), which is still in operation.
3) Working with the JCF and the Commission for the Accreditation of Law Enforcement Agencies (CALEA) to gain formal accreditation on some 900 standards in police operations.

In summary, strengthening the rule of law in Jamaica is supported by the political elite, most of the rule of law managers, and several civil society organizations. However, given the country's economic condition, political and social mores, and the organizational culture of the Jamaica Constabulary Force, it has proven quite difficult to translate this support into meaningful reforms.

Competition:

Competition in (a) the political system, notably through elections, (b) in the media, and in the "marketplace of ideas;" (c) the ability of citizens to legally organize to pursue their interests in a pluralistic civil society; (d) economic competition is not politicized; and (e) competition within government.

We saw above that there is qualified consensus on the rules of the political game and the fundamental tenets of the rule of law accepted, albeit that there are also important breakdowns and inefficiencies. Competition in Jamaican politics also proves to be a mixed bag.

Electoral competition is governed by the Representation of the People's Act which declares the entitlement of every qualified person to: registration as an elector of the polling division in which he or she is ordinarily resident; and voting at a Parliamentary election for a constituency if his or her name appears on the official list for a polling division for that constituency.

The Electoral Office is the administrative body empowered to administer parliamentary and local government elections in keeping with the six commonly accepted principles of universal adult suffrage: the vote is universal, free, secret, direct, personal, and non-transferable. The Electoral Office maintains headquarters in Kingston, 7 regional offices, and outposts in the 60 parliamentary constituencies. Full-time personnel staff the regional offices while both full and part-time officers run the constituency offices. The Electoral Office is divided into departments responsible for administration, information systems, field operations, internal auditing, and training and research.

The Electoral Advisory Committee (EAC) oversees the activity of the Electoral Office. It is comprised of two people nominated by the Prime Minister, two nominated by the Leader of the Opposition, three independent members, and the Director of Elections, as a non-voting member.[41] This committee was created under Representation of the People (Interim Electoral Reform) Act of 1979 to protect the electoral process from the immediate direction, influence, and

[41] The members of the Committee currently are: Professor Errol Miller, Chairman, Dr. Herbert Thompson, Dorothy Pine-McLarty, Senator Maxine Henry-Wilson (PNP), Senator Ryan G. Peralto (JLP), Danville Walker, Director of Elections. Each of the two major parties also is able to identify Alternate Members. Currently, the Alternates are Michael Peart for the PNP and Abe Dabdoub for the JLP.

control of the government. Part of its mandate is to advise the Director of Elections on electoral policy and operations. If the Director of Elections considers advice from the EAC to be unacceptable and therefore does not propose to act on it, then the Director is required to report this position to Parliament.

Currently the electoral contestation season draws close, as national elections are due constitutionally no later than March 2003. This increases the apprehension over both electoral politics and elections management. For decades elections in Jamaica have been characterized by fraudulent voters' list, multiple voting, and intimidation and violence during campaigning and on polling day. Yet these irregularities declined markedly in the 1997 general election campaign cycle that was marked by "major improvements in both freeness and fairness of the election process".[42] Yet while great strides were made in 1997, there was still over-voting noted in 214 of 6,294 (3.4 percent) of the polling divisions. Notably, 75 percent of the divisions where over-voting occurred were located in the Kingston-St. Andrew urban area.[43] These represent the political "garrison communities" where party loyalty was purchased long ago in return for housing and is maintained by access to various projects and income sources brought to the communities by their MPs.

Improvements in electoral administration in 1997 have been credited in large part to the amendment of law to permit election observes to enter polling stations. This in turn allowed the emergence of a domestic election observer group Citizens' Action for Free and Fair Elections (CAFFE) which was very active during the 1997 electoral cycle. In addition, other legal reforms probably had an impact including a substantial increase in penalties for offences against the electoral code.44 While the improvements in 1997 were significant over past years, continued election support in the form of training and capacity building for CAFFE and other like-minded groups leading up to the 2002 electoral cycle would provide a solid investment in helping Jamaica consolidate the 1997 gains. Gang violence in May 2001 between rival gunmen from two politically affiliated Kingston inner city areas – Denham Town (JLP) and Hannah Town (PNP) linked to the slaying of a PNP community leader, Willie Haggart, is seen by some as a prelude to the upcoming elections.

Civil Society

Groups like CAFFE are a part of a wider set of civil society-based organizations in Jamaica. There was near universal agreement among all actors interviewed by the assessment team that civil society on the whole has a vital role to play in support of Jamaican democracy. While in principle all players expressed support for the basic notion that citizens have both the right and responsibility to organize in a pluralistic civil society, the role to be played by civil society is not entirely clear even to civil society itself. Consequently, deeper evaluation of civil society in Jamaica seems well warranted here.

In principle, well functioning civil society should serve to support democracy in three distinct ways:

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42 *The Observation of the 1997 Jamaican Elections* The Carter Center, 1998 as cited in Munroe 1999.

43 See Munroe, *Renewing Democracy into the Millennium*, Ibid., p. 39.

44 See Ibid. p. 24.

- At the level of the state, civil society performs a *watch-dog function* whereby the state is held accountable for excesses, abuse, or poor performance in areas of human rights, basic liberal freedoms, and governance (transparency, corruption/accountability, and policy reform etc.).

- At the level of civil society actors, civil society creates *social capital and builds civic community* by linking groups in cooperative endeavors which bridge or crosscut social, religious, economic, ethnic, and other cleavages. The new networks and linkages thus animate and model a cooperative means of social and political interaction and make CSOs more effective in their *watch-dog* role. (neighborhood watch and community development groups are notable in this regard).

- Finally at the level of individuals, civil society shapes the political attitudes of participants in a *"school of democracy"* where attitudes of trust, reciprocity, and efficacy (civic virtue) are built and reinforced. CSOs should do so when groups are organized and function in a democratic manner. Active and vibrant civil societies also tend to impact positively on attitudes of citizens who are not direct participants but who are exposed to activities and information that emanate from active CSOs. This can be particularly evident when CSOs engage in civic education campaigns or other explicitly political activities.

Though Jamaican civil society is made up of an increasingly active set of groups in these realms, civil society has generally been incapable of effecting fundamental changes to the Jamaican political status quo. The dynamics of this failure seem to be closely linked to the problems associated with the patron – client system of politics described above. Because political victory is so closely tied to economic opportunity, and the winner-take-all system further accents the importance of political victory, civil society associations have been faced with a stark choice. They either remain independent of political parties and pursue their interests (either public or private) outside of partisan alliances or they ally with one or the other party. There is a strong incentive to do the latter not only for access to the spoils of the patronage system but also because the hyper competitive environment means that even independent groups are accused of partisan allegiance if they criticize the government. Virtually any criticism is taken as evidence that the critic is an opposition party operative, front, or stooge, regardless of the merit of the critique or the identity of the critic.

The relatively inactive role of civil society to date notwithstanding, their potential role in advocating for change in Jamaica is quite positive. There is a proliferation of community-based organizations in Jamaica, some of which have emerged as a result of actions undertaken by community residents; others have been created as a result of non-governmental and external donor support. While an encouraging development, civil society organizations tend to be administratively weak, and have few strong advocacy skills. In addition, most CSO's, even those focused on the same sector, function individually and have yet to come together to play an active role as agents or advocates of political change.

The Team was informed on several occasions that while some of the churches are playing a very positive role in assisting the communities in which they are located, this in not universally true. In fact, although churches are engaged in local community welfare work, they do little to make

their voices heard in a broader sense. However, it was also noted that although it was unlikely that the churches would become politically active, they could positively contribute to existing plans and projects for reform. Further, there are some ecumenical groups that work outside of the formal church setting that have begun to lend support to political reform agendas.

In spite of this set of problems, civil society in Jamaica demonstrates a remarkable diversity and vibrancy. Table 4 below provides an illustrative view of the group-types and actual names of some civil society-based groups active in Jamaica today.

Table 4 Civil Society Group Types and Illustrative Group Names in Jamaica	
Pro-Democracy and Good Governance/Anti-Corruption	Jamaican's for Justice, CAFFE, Transparency International, Coalition for Community Participation in Governance
Urban Renewal	Kingston Restoration Company, Ltd.
Neighborhood Watch	Castle Heights Neighborhood Watch
Culture	ASHE, National Dance Theatre Company of Jamaica
Business Interests	Jamaican Chamber of Commerce, AMCHAM
Labor	Allied Worker's Union
Human Rights	Independent Jamaica Council for Human Rights
Community Development	Rockfort East Kingston Community Trust,
Environment	Negril Area Environmental Protection Trust, Jamaica Conservation and Development Trust, Montego Bay Marine Park Trust
Press	Gleaner, Daily Observer, Radio & TV talk shows
Think Tanks, Academia	UWI, Private Sector Organization of Jamaica
Education Reform	Peace and Love in the Schools
Ecumenical Outreach	Whole Life Ministries, Stella Maris Foundation

The Press

The press in Jamaica provides a vibrant and lively array of freely expressed opinions. Independent print media has a long history here and could serves as a major asset to Jamaican democracy. However they face challenges in the areas of capacity to engage in investigative reporting. There are two relevant constraints, first on the legal front, libel laws are very strict and at least some firms have suffered significant damage awards against them. The Official Secrets Act prevents access to many government records as well and a lack of training in investigative reporting techniques and methods also militates against the press providing as much politically relevant information of which it might otherwise be capable. The radio and TV talks shows are a very popular means of promoting public dialogue on a host of important issues. Talk shows are widely followed and have a high level of credibility among the listening/watching public. Critics however contend that the press serves simply to circulate advertisements while publishing ill-researched information and that the talk shows are too shallow to provide meaningful political discourse. There seems to be some room for a useful assistance role here with possible aid targeted at legal reform, training of reporters in investigative reporting, forensic accounting, or other technical skills and perhaps assistance to established think tanks or independent public policy research units to raise the level of empirical

knowledge brought to bear on issues of general public interest. These may be regarded as illustrative activities that could emerge from a consensus building process.

Pro-Democracy, Good Governance/Anti-Corruption Groups, Human Rights Organizations

While the Press often serves to amplify and publicize state abuses of power, the watch-dog function of civil society often rests with independent groups that focus on issues of democracy, good governance, anti-corruption and/or human rights. Such groups are very much evident in popular political discourse in Jamaica. While very visible, these groups can be like mushrooms that sprout with a rainy spell but dry-up and disappear when the immediate issue(s) that brought them together fades from public view. In some instances Jamaica has seen a great deal of continuity as in the case of Independent Jamaica Council for Human Rights (IJCHR), while others like Families Against State Terrorism (FAST) form around a single incident and are prone to rapid dissolution or incorporation into other more stable groups. This is not necessarily a serious problem, but it does raise the important issue of CSO sustainability. We treat this issue at greater length below.

Urban Renewal, Neighborhood Watch, Community Development, Ecumenical Outreach, and Environmental Organizations

These types of organizations are those that are most common in Jamaica and indeed among civil societies around the world. They serve in two vital ways to strengthen democracy as they provide important social services that the state itself either cannot or will not provide, and of equal importance for democracy and governance, they are the place where a large number of citizens are baptized into civic participation. In these organizations, citizens can learn skills of negotiation, compromise, strategic planning and goal setting, prioritization of issues, social trust, and a host of other skills that improve the quality of democratic citizenship. The assumption is that skills learned in participation at this level can lead to civic actions that give voice to the particular needs of citizen groups. In many instances there are examples that this is occurring in Jamaica but at the same time these organizations do not always contribute to democratic strengthening.

As Appendix E and Table 3 show, there has been a healthy growth of a host of civil society organizations of this type over the past decade. Several reasons explain this growth. There is a sense of alienation by lower class and rural residents, given the economic deprivation experienced. There is continued frustration with “political tribalism” and these organizations can serve as way communities can escape this tendency. Another factor is frustration and disappointment by business and professional leaders. Perhaps a final reason relates to the vigilance and activism of the media in exposing many problems with governance.

Table 3 Civil Society Organizations in Jamaica

Category of Organization	1990	1995	1999
4H Clubs	256	329	760
Youth Clubs	605	872	1,336
Police Youth Clubs	95	146	287
Neighborhood Watches	131	384	533
Citizen's Associations	497	606	636
Community Councils	215	196	180
Totals	1,799	2,533	3,732

Source: Trevor Munroe, *Voice, Participation, and Governance in a Changing Environment: The Case of Jamaica*, June 2000.

Nonetheless, an increase in the number of organizations alone does not always provide an accurate indication of the health of civil society. Civil society organizations in Jamaica are often hamstrung by a lack of resources, training, management skills, and especially because they usually have a limited grass-roots appeal. These factors often mean that few civil society-based groups have the capacity to pursue effective civic action.

As shown by Elsie Sayle, Horace Levy, and other writers, Jamaica has a long tradition of social activism by non-governmental organizations (NGOs) and community-based organizations (CBOs).[45] Like those cited by Sayle and Levy, the organization types we are discussing here are primarily active in social and economic areas—welfare or development organizations of one kind or another. These do not overtly and consciously pursue an interface with the use of political power and the exercise of public policy. While these organizations are not explicitly political in their goals, they still can make a vital contribution to democratic development in Jamaica. Further there is some evidence that community development oriented groups are beginning to address more political interests as the patron-client system has been less capable of meeting their needs. At the same time we must not view civil society in general, or these groups in particular, as the panacea for Jamaican democracy. Civil society-based groups can be co-opted and integrated into patron-client relationships that damage their credibility as watch-dogs, and make them inefficient at instilling democratic values in either group participants or society at large. This is particularly common among groups that are closely integrated with state agencies and institutions such as development groups (urban and rural) and NGOs that provide social service delivery.

Labor and Business Interests

Though traditionally at odds, labor and business interests can play a unique and important role in support of democracy in Jamaica. In no small part this is due to their key roles in economic development. Munroe notes a decline in unionism overall in Jamaica over the past thirty years

[45] See, for instance, Elsie Sayle, *Council of Voluntary Social Services: The First Fifty Years* (Kingston: Kingston Publishers Limited, 1994); and Horace Levy, "The Social Action Center Story, 1958-1998," in Suzanne Francis Brown, ed., *Spitting in the Wind: Lessons in Empowerment from the Caribbean* (Kingston: Ian Randle Publishers, 2000).

but at the same time documents an increase in memberships for "non-political" unions. That is, unions that are not associated with one or the other main political parties. This is seen as a contribution to democracy because it allows trade unions to "resume a more independent role in expanding democratic influences on the state, particularly in the area of economic decision-making".[46] This role has been enhanced recently as trade unions and business interests have been able to agree on accords to forestall labor actions and meet labor needs at the same time. These negotiated agreements (one in the banana industry and one between Bauxite-Alumina miners and producers) were reached through informal and repeated negotiations by a go-between that bore fruit allowing the traditional rights of freedom of association and collective bargaining to be asserted, while insuring job security, employment creation and improving investment opportunities.[47]

Other business groups have also played an important role as advocates for both inner city development and urban renewal and as leading voices in justice and police reform. The support of business groups lends a sense of moral and social legitimacy to many of these reform issues and they are also able to support other issue-based CSOs with financial and in-kind contributions. Yet some of the groups the team interviewed expressed an important difficulty in this regard. They felt that access to government contracts could be threatened if they provided too much public support to issues or groups that focus on controversial issues or are critical of the government. The fear of appearing politically affiliated seemed to cause some business interests that might otherwise make philanthropic contributions to democracy related causes to steer away from doing so.

Cross-Cutting Issues in Civil Society

Several related challenges exist for a flourishing civil society in Jamaica. Building partnership between and among CSOs is chief among them. As one civil society actor rightly observed: "Of the greatest importance at the present stage of civil society is its growing partnership with both the state and the business sector. It is a tricky road to walk, since alongside the partnerships there is the continuing necessity to fight against class exploitation and bureaucratic oppression."[48] Yet, not only is there a challenge in building and sustaining partnerships with the state and business sector, some civil society groups in Jamaica have also recognized that they must begin to cultivate more meaningful partnerships among civil society organizations. "We need a clearing house or common facility that allows civil society to define the vision for the country. … Many voices saying the same thing brings more pressure" said one organization recently. Another echoed, "We need to band together to create an interlinking mechanism."[49]

Moreover, in addition to gaining "strength in numbers" by creating coalitions and/or an umbrella organization to articulate and pursue common platforms, there is also a critical need to "deepen" some organizations. This entails expanding the membership of organizations, building and sustaining organizational capacity, using membership size to leverage resources, boost advocacy skills, creating a capacity for leadership succession, and relieving the core top leaders of

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46 Munroe, 1999, 82.
47 Ibid. 85.
48 Levy, Ibid., p. 145.
49 Assessment Team Field Notes, Meeting with Civil Society Groups.

continuous frontline pressure. That said, there are a variety of ways that civil society groups can effectively organize themselves and these vary with the goals of the groups themselves. The Independent Jamaica Council for Human Rights, for example, argues that "Not all groups are membership based, we for example have been quite successful for 30 plus years with a small cadre. But we are known, and if there is a problem in a community they know that they can come to us for help and guidance." In spite of this assertion however, the IJCHR is currently facing closure because they are strapped for funds.[50] A broader connection to a grass-roots membership base could make groups like the IJCHR more sustainable.

In sum, there is measurable activism and impact by several civil society entities. Yet as a bulwark against the misuse of state power, civil society could play a more prominent role. This would be an in important element of any DG program for Jamaica. Strengthening civil society is an area where USAID can build on existing strengths, and where we would expect a good return on investment. Initial interventions should focus on advocacy capacity building, leadership training, institutional development, facilitation and support for networking and common agenda setting. Some funding for commonly identified short-term goals that emerge from the networking exercises would also be important.

Competition Within Government

Another area for consideration under the rubric of competition is that within the government itself. Jamaica has a strong Prime Ministerial system that results in a very active and powerful executive branch and a subservient legislative branch. The fusion of powers inevitably presents issues of balance of power regardless of which party is in power because the opposition party will always be at a disadvantage, even if they have considerable strength in the Parliament. Therefore, from that perspective, competition will always be at issue. This fact notwithstanding, the hyper-competitive atmosphere and the winner-take-all attributes of Jamaican politics cause the disparity in competition within government to be more severe than one would expect even under a parliamentary system.[51] To the extent that this results in problems of efficient governance it could be an area for future USAID concern, although it does not seem to be a pressing priority to most Jamaican observers at this time.

The relative strength of the judicial branch in Jamaica is hampered by problems with the police – which is typically the "face of justice" most citizens see, and with the problems and operational inefficiencies as discussed in the Rule of Law discussion above, regarding the courts, public prosecutor, public defender and prisons. The capacity of the judiciary to operate independently is partly credited to the public respect it enjoys and its reputation for honesty and integrity. Nevertheless, failure to achieve police reform or growing inefficiencies in the judicial system in the face of high crime rates could compromise this, posing far greater problems for Jamaica in the future. For this reason, the assessment team sees some interventions in this area as a high priority and believes that they will prove to be a good investment of development resources.

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[50] "Human Rights Council Hangs on for Another Month" *The Daily Observer* Tuesday, April 3, 2001, Kingston, Jamaica, p. 4.

[51] This is true despite indication of some openness to opposition in Parliamentary Committees.

Inclusion:

Interest in whether problems of inclusion and exclusion exist, (a) no elements of society are excluded formally or informally from meaningful political, social, or economic participation because of religion, ethnicity, gender, geography, or income status; or (b) there should be widespread political participation and low levels of disaffection or apathy.

As we saw in the discussion on rule of law, there is no constitutional or legal instrument sanctioning or directly facilitating exclusion in Jamaica[52]. Yet, Jamaica has a political culture that encourages exclusion because of the zero sum nature of access to political spoils. The team also noted the unwholesome economic and social condition. This itself can result in exclusion, either by choice on the part of those who feel fatalistic because of poverty, social class, and/or ignorance, or because political leaders take advantage of these weaknesses and manipulate them for political advantage.

A lengthy quote from Trevor Munroe, who spoke with the assessment team, places the question of inclusion in the center of the challenges to democratic progress in Jamaica.

> The main issue in Jamaica is that of inclusion/exclusion. More than any other Anglophone Caribbean state, Jamaica has suffered from exclusion, in structure, organization, philosophy, leadership, etc. This is so in the areas of economy, income gaps, in the political system. Political parties have evolved in such a way that it is regarded as exclusionary by 60% of the population that do not have interest in or fidelity to any political party. The justice system is exclusionary as the sentencing policy is unequal. The educational system is exclusionary with the majority black working class and rural farmers consigned to the lower reaches of the educational system while a tiny elite benefits from high quality private schools and goes on to study in the university. CBOs and "cause" groups are a bright spot but we see mutual alienation between civil society and political society, where civil society denounces the inequality of political society and political society asks: "Who elected you?" The ownership structure of the country has not been significantly modified from independence with the black lower-class having few if any owners of large enterprise. The result? We see alienation, hopelessness, rejection of social norms, and criminal activity. In my view the main area that we need to engage is in enhancing social capital, building bridges in all areas of society where the fractures of exclusion are ever present.

Dr. Munroe speaks eloquently to the issue of social, political and economic exclusion and its consequences. Conscious efforts have to be made by political power brokers to resist the inclination to exclude citizens, whether individually or as groups, from policy formulation and execution, either by design or default. Also of interest for this assessment are the linkages he draws between inclusion and political participation. Many Jamaican observers and policy makers spoke with great concern to the assessment team regarding a fear that political participation in the form of voting has fallen off dramatically over the past decade or two. While voting in the 1997 national election was approximately 60% of registered voters and this level

[52] Curiously, the right to vote is not guaranteed under the Constitution. Lloyd Barnett explains that at the time of the independence conference that decided on the constitution, many leaders felt the right to vote should have been given the same specific protection accorded other rights. "It is not clear why this suggestion was not accepted, but it appears that the general principle was eventually submerged by the discussions connected with the subsidiary but more controversial problem of establishing an electoral system which would eliminate casting of illegal, or as they are popularly termed in Jamaica, 'bogus' votes." See: Barnett, *The Constitutional Law of Jamaica*, Ibid., p. 197.

seems high by US standards, Jamaicans point out that it actually represents an historic low in participation. This is seen as a sign of growing disaffection with politics.

But the responsibility for inclusion does not rest exclusively, or perhaps even primarily with politicians. Organized and informal civil society plays a crucial role in assuring both inclusive politics and good governance. Beyond simple voting registration and procedures, most interlocutors believed that a full curriculum of citizenship rights and responsibilities is needed in both school settings and in adult low-literacy or popular forms. Such a civic education campaign could productively be paired with interventions aimed at support of civil society as a means of institution building coalition formation and strengthening and drawing on commonly identified agenda items. This in turn would likely lead to cooperation and common agendas in other areas enhancing the capacity of civil society to advocate its interests and improving their ability to partner with the state in the accomplishment of civic action.

Inclusion, or more properly the lack thereof, is also manifest in educational opportunities experienced by young Jamaicans. With regard to good governance and rule of law, the relevant issues are:

- Income levels are the best predictors of educational attainment -- youth from poor communities are the most likely to drop out (and equally, to be unemployed, become involved with crime, get pregnant).
- Technical training programs do not provide opportunities for most of these dropouts or even for many graduates.
- The class-room environment in Jamaica is generally authoritarian and hierarchical, thus it fails to model democratic practices among Jamaica's youngest and most impressionable citizens.
- While there is a civics module in the social studies curriculum, it is unclear that this represents a sufficient level of attention to the need for broad and consistent teaching of the rights and responsibilities of citizens in a democracy across the curriculum; and
- Conflict and violence in the schools mirror problems in society at large and existing conflict resolution mechanisms are insufficient.

Good Governance :

Viewed not merely as the functioning of the governmental machinery, but also the functionality of social institutions. Hence there is interest in whether (a) overall there is adequate governance by the state and by public and private sector agencies, and (b) agencies are accountable, transparent, and efficient.

With respect to adequate governance, as reflected throughout this document, the organizational and legal structures are in place, but many governmental institutions are inadequately funded and staffed, and are generally ill-equipped to provide the level of service required either directly or through Government contracts. As a result, significant problems exist with respect to delivery of public services, such as water, electricity, sewage treatment, social safety net programs and local government services (to name just a few). At the same time, some non-government organizations, churches, and socially conscious businesses have attempted to step into the breach. However, the needs far outweigh the capacity of the private sector to replace what the governmental institutions are not currently providing. The ensuing voids have been filled in a

variety of ways, the most troublesome of which is found in the inner-city communities (aka garrison communities) of Kingston. Where the government has been unable to meet the basic needs of the poorer citizens, some have turned to the "dons" for help, with the result that in many of the inner city communities in Kingston, essential public services, normally provided by the government, are in fact provided and funded by the "dons".

Since independence, in Jamaica, the mentality of "winner-take-all" elections, where the "spoils" are distributed only to the constituents of the party in power, has led to a disenfranchisement of the opposition party. However, as the economy has faltered and the national debt grown, there are few spoils to distribute. Citizens who cannot turn to the government to address their problems have looked to alternative means, as described above. This in turn has further aggravated the problems of crime and violence, and resulted in a general malaise concerning the political system and distrust for those in power. Conversely, on more than one occasion, the Team was told that there is "a long tradition of Governmental contempt for the people".

As a parliamentary system, the government in Jamaica has evolved into one in which power sharing is almost totally lacking, giving the ruling party, and in particular, the Prime Minister, nearly total control and power. The Team was told on several occasions that the Prime Minister in Jamaica held more power than the President of the United States in that he could control both the legislative and judicial processes. In effect, there appears to be little actual separation of power in Jamaica and an absence of the usual checks and balances. According to one very prominent politician, under the current system of government, the one party constantly strives to embarrass the other, but in doing so, "we have missed the boat…. this approach must change." There is some encouraging movement within the Parliament through the creation of a committee system to oversee certain of the Ministries. Described as a deliberately inclusive process, at least some of these committees are beginning to have an impact, although the Team was told that without staff and expertise in how to organize and manage the committees, their overall effect is falling short of its potential.

While overall the Jamaican state governs with a level of competence and integrity there is ample room for improvement in this area. Governmental leaders seem more preoccupied with the political domain, especially elections, than about the public service aspects of government operation. As one scholar put it succinctly: "After an election, people [should] expect good Government."[53] This has not been the case in Jamaica, where in addition to providing a poor level of service, the government also has serious issues of state accountability, transparency, and efficiency.

A problem that cross-cuts the entire judicial sector is that of inadequate information flow and lack of standardization in the data that are to be collected and included in case files. In addition to delays, among other negative consequences from this situation is the lack of a centralized tracking system, which in turn gives rise to opportunities for corruption. Automation of case and investigative information could contribute to an amelioration of the current system, but such efforts must be accompanied by the establishment of standards and procedures that govern the collection, storage and use of information.

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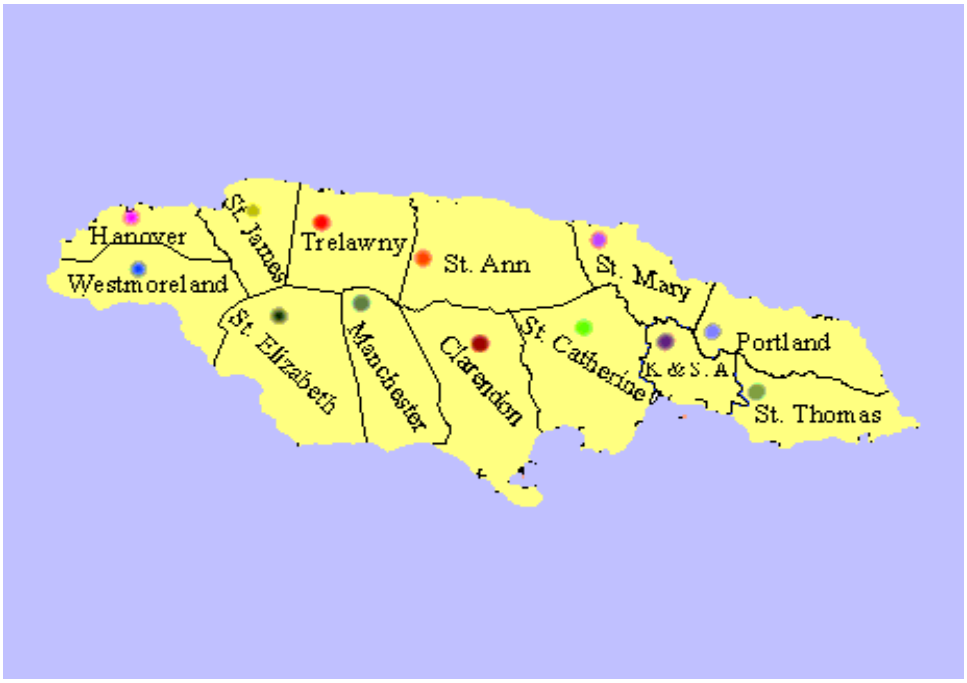
[53] Edelberto Torres Rivas, "Democracy and the Metaphor of Good Government," Ibid., p. 46.

It is difficult to provide specific evidence regarding corruption, but it may be sufficient to note that there is a widespread perception – evidenced in part by recent anti-corruption legislation - that corruption is commonplace throughout government[54]. This is particularly so in the areas of government contracting and the police. There seems to be a widely shared perception that politicians benefit their friends and cronies in the contracting process even if the contracts and the visible processes by which they are awarded are defensible. Regarding the police, it is widely recognized that they face tremendous challenges in their attempts to control crime, and there is broad public support for taking strong measures against criminal elements. Nevertheless, the perception of corruption, misuse of power, and poor community relations by the police is well supported by evidence, and at least some members of the Jamaica Constabulary Force are seen as inept, corrupt, abusive, and even more seriously, as involved in criminal activity. As outlined in the Rule of Law section above, the police have engaged in numerous reforms but continue to face a severe crisis in public confidence. To restore the vital trust a concerted effort to put the *community* into community policing programs is a very high priority and would likely contribute to progress on governance indicators.

The role of civil society groups can be of great service in the area of governance as CSOs in Jamaica are often highly vocal on issues of transparency and abuse of power. Assistance that allows CSOs to contribute to the dialogue on these issues in a more informed and analytical manner could serve to provide civil society with the tools needed to link state and society in a truly democratic atmosphere.

Local Government



[54] In addition to the passage of the Corruption Prevention Act aimed at public servants, Prime Minister Patterson has also announced amendments to the Parliament (Integrity of Members Act), the corruption legislation that relates to MPs.

Mention should also be made of Jamaica's weak local government structure, characterized by a lack of effective decentralization. In Jamaica, local government is organized along geographic units called parishes. There are 14 parishes in all. Parish Councils are elected generally every three years, and headed by Mayors who are in turn elected by the respective councils to lead them. (See Appendix B for the list of current Mayors.)

Parish councils are supposed to be responsible for minor water supplies; solid waste collection; parochial roads, traffic management and parking; public markets and abattoirs; regulation of certain retail establishments, such as restaurants, food shops, and barbers, among others; poor relief and infirmaries; parks and cemeteries; drainage; and building approval. However, as Jamaica has limited decentralization many local services are provided by national government agencies or enterprises.[55] The Ministry of Local Government, Youth, and Community Development provides a full-time administrator to each parish who is directly responsible to the ministry. Other ministries also have significant local representation as well but in most instances the purview and responsibilities of the ministries vis à vis the local government structure seems complex at best and often contradictory.

The economic downturn in Jamaica during the early 1980s, and subsequent economic restructuring, led to a re-centralization of a number of powers and service responsibilities. This effectively eroded both the authority and fiscal base of parish councils, leading to significant reduction in the effectiveness of local governments to manage them, to provide services, and to plan for growth and development. It also led to greater institutional fragmentation of responsibilities for the land development process and local services, resulting in uncoordinated planning and delivery. Notwithstanding recent attempts at revitalization, including the establishment of Parish Development Committees, local government remains weak in Jamaica – lacking effective authority and revenue to provide local services and carry out local development plans.

VI. COMMON/RECURRING ELEMENTS

By viewing Jamaica through the optic of the five variables we have found a common set of recurring issues or elements. Many of those interviewed by the assessment team were highly conversant in and often agreed about Jamaica's central political problems, at the same time, most potential solutions also emerged as ideas offered by more than one interlocutor. In fact, during the course of the many meetings, discussions, interviews and site visits (limited to the Kingston area), a number of recurring themes began to emerge, both in terms of problem identification, as well as potential solutions.

Many times, our interviewees mentioned that there was a "window of opportunity" in Jamaica at the current time, and that "change was afoot" amongst the citizenry. Indeed, an oft-quoted statistic was that as many as 60% of the voters were so disenchanted with the current political system (not just the majority party), that they had ceased to participate in the voting process.

[55] These services include infrastructure development, land use planning, solid waste collection and disposal, local revenue collection, fire protection, electricity supply and distribution, and water supply and distribution.

This is particularly significant in that Jamaica has traditionally experienced a very high voter turn out, even if at times, the election process has been alleged to be corrupt. In the words of one politician, the low voter turnout indicates not simply a "lack of participation, but hopelessness and disgust" with the current system.

For purposes of presentation, recurring themes have been divided into three principal categories: (1) problem identification; (2) political and social goals; and (3) approaches to reform. Insofar as the "problems" are concerned, one notes that they are closely interrelated and interdependent, and that, in the case of Jamaica, this has led to a what was described as a "vicious circle" moving in a downward spiral, at a seemingly ever-increasing rate.

Problem Identification

Socio-economic conditions

It is axiomatic that economic problems are directly related to the quality of rule of law in Jamaica. As mentioned above, there is a vicious circle in which high crime rates contribute to a higher cost of doing business in Jamaica. This in turn discourages investment and the expansion of job opportunities. With lower levels of employment, particularly in inner-city communities, young people turn more and more often to crime. Clearly the improvement in the security situation could have a clear and immediate impact on the business environment, investment opportunities in Jamaica, and the current un- and under-employment problems.

At the same time, the ability of the GOJ to improve the security situation is hobbled by a very high debt burden. Out of a total Government of Jamaica budget of J$185bn (US $4.1 billion) for 2001-02, J$116bn (US $2.57 billion) is to be allocated to debt repayment and interest. In the words on one of the Team's interlocutors, the Government has lost control and this has been a serious deterrent to both investment and tourism. In the FY 2001-02 budget, capital expenditures for the JCF are cut significantly from 2000-01. Indeed, capital expenditures for the Ministry of National Security and Justice were cut 40 percent in the GOJ's 2001-02 budget.[56]

Jamaica's major sources of foreign exchange earnings are 1) the tourist industry; 2) remittances from the *ex-pat* community; 3) bauxite-alumina; 4) manufacture; and 5) traditional export agriculture. The tourist industry is particularly sensitive to both actual and perceived high levels of crime. Further, the diversification of product offerings of the industry is limited by high crime rates. High crime also impacts heavily on exporters of all types because of contraband being placed in shipping containers and aircraft. This in turn requires employment of costly private security in Jamaica and can result in forfeiture of major assets or the payment of high levies in recipient countries.

Beyond the many weaknesses in the formal educational system, described in the Inclusion section, a strong need was articulated for civic education at all levels of society, starting with the

[56] In relation to the 2000-01 budget, recurrent expenditures in 2001-02 for National Security and Justice – which includes all the security forces (JDF and JCF) as well as the justice sector (i.e., the courts, public prosecutor and public defender) will increase from J$10.4bn (US $230 million) to J$11.4bn (US $253 million) while capital expenditures will be reduced from J$122 million (US $2.7 million) to J$73 million (US $1.6 million).

youngest children, but also to include the adult population. Jamaican citizens tend to view their responsibility as citizens as beginning and ending with the right to vote, rather than the more broad perspective of social consciousness and what would commonly be associated with the rights and responsibilities of citizens within a functioning democracy.

Crime and violence

While it can be said (and was frequently repeated to the Assessment Team) that crime and violence are not new to Jamaica, its nature and incidence have been changing. According to Harriot, Jamaica has the highest rate of violent crime in the Caribbean (857.2 per 100,000). Since the 1970s crime has become more violent. It has become more of an urban phenomenon, closely associated with the growth of the underground economy.[57] High levels of crime, especially violent crime, are beginning to impact upon citizens outside the traditional troublesome areas. Crime has a complex causality, however unemployment and the inability of the Government to provide even a basic level of service to the poorer sections of Kingston have undoubtedly contributed to a proliferation of gangs, some of which are connected with the traffic and sale of narcotics.

Beyond the negative impact upon the citizens of Jamaica who have fallen victim to crime is the attendant disincentive to economic investment in the country. The poor economy, together with the rising levels of violent crime, has contributed to an intellectual exodus from Jamaica, to the point that those who are skilled and could be capable of finding gainful employment or engaging in private enterprise do not do so. The growth of the informal economy noted above and ongoing massive emigration are at least in part related to perceptions of high crime levels. Drug proceeds also heighten the violence levels by putting more and more powerful guns on the streets.

Governance

Despite the consolidation of power in the ruling party, the Assessment Team was told repeatedly that there was a dearth of leadership in Jamaica, particularly leadership in the sense of recognizing that the needs of the country and its citizens must take precedence over those of the party or the individual.

Although there was general agreement that substantial reform of Governmental institutions is needed, in view of the current political logjam in Jamaica, organizational reforms, along with Constitutional revisions, have been placed on the backburner. Given the present posture of Jamaica's political parties, it is likely appropriate for some of these issues to be left on the backburner until such time as an understanding and acceptance of the consensus building process

[57] Harriot (Ibid., pp 9-10) notes that in 1974 only 10 percent of all crimes were violent and 78 percent were property crimes, whereas in 1996 46 percent were violent and only 23 percent property crimes. He notes that murders spiked during election years, but nonetheless steadily increased after controlling for elections. More recently, reported murders appear to have been declining since 1997. Suggesting that there is often a mismatch between the reality of criminal conduct and public perceptions of it, the National Security and Justice Minister reported to Parliament during the budget sector debate for 2000, "the fact is that some criminal activities are beginning to show a reduction. In 1997 (an election year) there were 1,038 reported murders. This number was reduced by 95 to 943 in 1998 and by a further 104 to 849 in 1999. (The Criminal Justice System, Ibid., p 26).

has been developed in Jamaica. For similar reasons, it does not make sense to work at the level of decentralization and strengthening of local government at this time.

One of the most problematic components of the Government is the justice system. It is also the component that most directly impacts Jamaican citizens, both in terms of inability to seek redress for injustices, as well as the negative citizen perception of the police, and the latter's lack of capacity to ensure public safety. While the judiciary is generally viewed as competent and fair, they are also deemed to be highly inefficient, particularly at the levels of the Resident Magistrates courts. This inefficiency has led to a lack of confidence in the system. In turn, the absence of formal means of redress is increasingly resulting in private and often violent "settlements" of dispute. Clearly, extensive reform of the current system is needed; however, despite two large-scale judicial reform programs, little real impact has resulted.

Private Sector

For the many reasons cited throughout this Assessment, private sector development is on a downswing. This is both a contributing factor to and a direct result of the collapsing economic situation of Jamaica. There were those who described the business sector as "not very visible" in Jamaica. Indeed, we were told that many entrepreneurs have left Jamaica and that there is little capitalist structure remaining.

Clearly, while Jamaica is a country that is rich in investment opportunities, given the current situation of the country, the security and economic viability of investments are risky. But at the same time, rather than taking an active role in advocating for change, the business sector has been largely silent on the issue of governmental reform. This is understandable given the political polemics of Jamaica, but many of those with whom the Team met expressed the desire for the business to take a more proactive role in becoming agents for reform. Moreover, it is estimated that the cost of private security is roughly equivalent to many firm's profit margins.

Civil Society: current capabilities and potential role

Accompanying a recent tendency to reject "politics as usual", it appears that Jamaican citizens are becoming concerned about social issues that have national impact, especially as this pertains to issues of injustice and human rights abuses. However, "political will" to undertake improvements in these areas will have to emerge from the people, as opposed to the Government. Implicit is the general recognition that the problems of Jamaica have reached a point wherein action – different from that taken in the past – is required. Many past donor efforts at working with civil society groups were characterized as a "cosmetic" approach to community development, meaning that little real impact resulted from the interventions. Jamaicans realize that they cannot wait for the Government to devolve power to the local level; they must begin to empower themselves. However, Jamaicans, as a whole, have not moved effectively toward concrete problem solving, and notwithstanding some exceptions have relatively little experience or knowledge of consensus building techniques. A significant segment of the population has not adopted an activist attitude at all; rather they feel powerless, resigned and hopeless that "any positive change will happen in their lifetime".

Due to the many reasons described above, the garrison community leaders or "dons" have become a powerful and respected force in communities, and cannot be ignored in a process of reform. In effect, they replace governmental structures that do not work and thus perform essential services to the communities they represent. It was suggested to the Team that an approach should be crafted according to which "dons" are provided with an opportunity to become a part of the process of change and reform. The Team learned from individuals engaged in social work in the inner city of Kingston that if given a chance, most youth would choose a legitimate form of employment over crime. It was the opinion of some of these experts that the same would be true of at least a percentage of the "dons".

Political and Social Goals

Development of a common vision

Although there were many expressions of hope for the future of Jamaica, virtually all of those with whom the Team met agreed that a common vision for the country was needed. Political leaders have not articulated their vision and agenda, nor have they frankly acknowledged the problems confronting the country and its citizens, and their own responsibility in bringing Jamaica to its current situation. In the minds of many with whom the Team met, Jamaica is wealthy in terms of potential human and material resources, but the country is currently "broken". There is a need to build a mentality of "what's good for the country" and to this end, there is a need to marshal all available resources towards commonly identified and agreed upon goals for Jamaica.

Ideally, it was recognized that the impetus for definition and articulation of a vision for Jamaica should come from the government. However, given both parties' inability to rise above their own parochial views, it was generally agreed that this is unlikely to happen, certainly not as a matter of first order. For this reason, it was the opinion of many with whom we spoke that the impetus for development of a future vision for Jamaica would have to arise from the grassroots and work with a broad cross section of civil society – sectors of the Jamaican society that are currently very fertile areas for reform.

Planning and Implementation

The Team learned on several occasions that many reform plans had been drafted to focus on virtually all of the problematic areas discussed in this document. However, there was common agreement that although the plans may have been sound, three fundamental problems were almost universally present:

- Broad consensus could not be reached on the essential elements of the plans;
- The citizens most impacted by the plans were rarely if ever consulted in development of the plans; and
- The plans were not implemented, certainly not to the point where demonstrable or local sustainability improvements were possible.

Given the growing interest on the part of civil society organizations in effecting change in their communities and their country in general, it was felt that citizens, particularly at the grassroots level, would be anxious to participate in facilitated planning exercises – so long as they were accompanied by an implementation strategy and, more importantly, some tangible even if small, forms of assistance to reach the goals defined.

Consensus building

Similar to the comments relative to the need for vision, planning and implementation of strategies for change in Jamaica, it appeared to the Team that there was widespread agreement that the best, and perhaps the only, way to engage in these types of activities was through consensus building.

There was extensive discussion on the appropriate "entry level" for such an approach. Initially, the Team felt that a consensus building exercise directed at the highest levels of Government, facilitated by an outside expert in the field,[58] could be one way of bringing together the political party leaders. However, following more in depth conversations, we realized that, while consensus building amongst the political parties must ultimately be achieved, it was unlikely that this could be a successful starting point. Instead, as emphasized repeatedly by our interlocutors, consensus-building activities are best initiated at the grassroots levels first, then, as Professor Monroe recommended, moving up through a series of concentric circles.

Two successful consensus building experiences were cited in the region, that of Trinidad and Barbados. It was recommended that a careful evaluation be made of these projects to determine areas that might be applicable to the Jamaican situation.

Approaches and Methodology

Documentation of Existing Success Stories

There are many success stories taking place daily within Jamaica, both in the poorer communities of Kingston as well as within rural communities. But, in the words of one of those with whom the Team met, these are "Jamaica's best kept secrets". When we inquired why news of positive change was not widely spread in the population, we were told that hopelessness in Jamaica had reached a level wherein even good news tended to be greeted with "waves of cynicism."

However, there is good news in Jamaica. In some cases, it has been the inhabitants of the community themselves who have come together and cleaned up their neighborhood, raised funds for one or more specific improvement projects, or refurbished community centers or schools. Other times, these sorts of activities have been supported by outside donors. Nonetheless, for reasons that were ascribed to the Team as "cultural", very often these success stories were not

[58] To the extent that a consensus building approach ultimately can be undertaken with the political leaders of Jamaica, it is recommended that this be facilitated by an internationally recognized, politically neutral expert. Among the names that came to mind were former President Carter, former President Mandela, and Raj Mojan Gandhi (who has followed in the non-violent reform methods of his grandfather, M.J. Gandhi).

known to the public, nor were the approaches and methods that had been used in order to achieve the successes.

Clearly it could be useful for those planning to provide assistance to Jamaica to have more information on the scope and nature of community development initiatives, including a better understanding of what has worked well and why. An analysis by one of the universities or a research group, could be carried out to review assistance efforts in Jamaica to date, extracting lessons learned and best practices. Technical and financial assistance could be provided to replicate these lessons elsewhere.

Role of the International Community

During the pre-deployment meeting in Washington, one of the topics discussed was that of the carefully guarded sense of sovereignty on the part of Jamaicans, not simply by the government of Jamaica, but also the citizens. For this reason, in every interview, the Team specifically raised the question of "what, if any, role can be played by the international or external donor community?" To our surprise, there was near unanimity that the role of donors was critical in several ways, as described in the bullets below. However, cautionary words of one interlocutor are also worth considering. A representative from the media advised that "…foreign aid is a terrible thing…. It fosters the continued abuse of power by the Government." The point was that the more resources made available to the ruling party by external donors, the more resources the Government had at their disposal to abuse. In his opinion, foreign aid can tend to "validate" an otherwise unsustainable regime – so clearly, the international community must proceed in a way that leads to reform and change – not further entrenchment of those in power.

These comments notwithstanding, even this individual strongly favored international involvement, particularly in a consensus building process. The following common themes emerged in numerous interviews:

- The donor community itself needs to come together and develop a unified plan and approach to reform in Jamaica. Too often, projects have been piecemeal, duplicative and sometimes even competing. A unified vision in the donor community could leverage substantially more resources and achieve a much greater degree of success than has been the case in the past.

- Jamaicans need gentle, but sustained urging from the international community to move forward with a program of reform. While, admittedly, there were those who thought the international donors should take a very hard line with the Government of Jamaica (such as cutting off assistance altogether unless there was concrete action on reform), most agreed that the donors could and should play an important role in "getting the ball rolling" and helping to keep it in play long enough for the economy to begin to improve and for changes to begin to take hold amongst the citizenry.

- The very large and talented Jamaican emigrant communities residing in the US, UK, and Canada should be brought into the process of providing assistance to reform in Jamaica. Their role could be that of lending financial and technical assistance, as well as providing

public fora for frank and open discussion of problems in Jamaica and the actions that will be necessary to put the country back on a positive course. It is noted that some groups have political affiliations and thus care should be taken to maintain balance and awareness of political context even outside Jamaica's borders.

- The support of the international donor community is needed to "break the political stranglehold". This cannot be achieved by internal advocacy and demands for change by Jamaican citizens alone.

Role of NGO's and CSO's

An active civil society sector is an asset in Jamaica, yet their unorganized and disparate state severely restricts their potential contributions to democratic renewal. To engage the Government as active agents of change, considerable capacity-building and other forms of institutional strengthening will be required. Coordination between and among civil society organizations was described as "haphazard at best". While it is true that some organizations, such as the aforementioned Jamaicans for Justice and others, are already playing a valuable advocacy role (and gaining in strength and power), many of the existing organizations tend to lack critical skills in leadership, administration, fund raising, and networking. With regard to the latter, it was strongly expressed to the Team that donor support to enhance the capacities of NGOs and CSOs, especially in the areas of administrative skills and networking, would be critical.

There was also general agreement that in order to increase the voice of civil society, one valuable exercise would be to bring together organizations already working in similar fields and, through facilitation, assist them to "band together around certain broad issues" and develop a common advocacy "platform" or "agenda". Organized and single-minded community groups could represent a formidable force, and perhaps the strongest impetus for change in Jamaica – one that could not be easily ignored by the political parties, especially at this juncture when citizen discontent is so widespread.

VII. STRATEGIC FRAMEWORK

Potential Intervention Arenas and Filters

Considering the host of issues that impede democratic development in Jamaica and the assets that Jamaican society possesses, as outlined above, there seem to be a broad range of potential intervention areas that could serve as specific foci for USAID Jamaica under a DG Strategic Objective. Here we outline a menu of interventions that would warrant consideration if resources and other political considerations were not at issue. After identification, we narrow the choices to those that remain viable after consideration of a handful of filters.

- Given the history of electoral irregularities, assistance targeted at electoral institutions could serve to solidify recent gains in this area. This assistance could focus on the efficient operation of the National Electoral Commission as well as assisting the range of

political parties in party strengthening activities. To provide for a more competitive and representative system, aid to minor parties should not be neglected.

- The press and public policy makers are both often handicapped by access to information and a lack of systematic and rigorous research on public policy issues. The central state institute is limited to research in the areas of its mandate but other contributors to public policy often are unable to engage in informed debate because the information available is often not of the highest quality. Assistance to deepen the level of public debate, through private sector organizations, UWI and/or existing policy institutes, would provide greater balance of power between the state, opposition parties, and civil society, as well as resulting in more informed citizens.

- The goal of a more informed and active citizenry can also be pursued via voter education and civic education interventions. As this need was widely expressed and almost unanimously supported, it should be taken seriously. Operationally, civic education might most effectively be linked to the mission's Education SO. There are also concerns that while civic education can contribute to greater accountability by making citizens more aware of their rights and responsibilities, that unless paired with a host of other reforms, it can seem to be simply palliative.

- Local governance is very weak in Jamaica. Assistance in a process of decentralization and revenue enhancement would strengthen the capacity of local leaders and citizens to influence key policy initiatives, enhance local development and improve public services. Local elections mirror national level politics, with the party in power having the majority of councilors who in turn select the mayor. Recently created Parish Development Committees are often unable to translate their development plans into action. Overlapping regulations and conflicting lines of authority often handicap local development. Local officials are most often beholden to the centralized Ministries for funding as well as technical expertise.

- Strengthening civil society at the level of national groups and grass-roots associations is needed. Coordination between CSOs with various substantive interests would help to empower civil society at large because it allows them to bring combined pressure on the state. The identification of commonly agreed upon goals would also help to build consensus and model cooperation for political leaders. Demands of CSOs for transparency, accountability, and good governance put pressure on public officials and will likely result in declines in corruption and inefficiencies in government.

- Proceedings in the criminal justice sector continue to be slow and inefficient. A central issue that would help to eliminate this problem would be assistance in automating information flow within and between the courts, police, the Office of the Public Prosecutor, and the Public Defender. This would result in faster criminal proceedings and more efficient court operations, and would in turn enhance public respect for rule of law.

- Police community relations are very tense in many large city neighborhoods.

Contributions to improving police community relations could include model jurisdictions and pilot programs that link Jamaican police with community policing experts from the US, Canada, or other places. A resident advisor could provide important policy and strategic planning guidance to the Commissioner of Police and is consistent with Jamaican police reform initiatives recommended in the PERF report, and accepted by the GOJ. USAID should focus primarily on the community side of the equation, with other agencies providing more of the practical police training and interventions.

Filters that the team has applied to the above interventions include in order of priority:

- USG interests in Jamaica (as reflected in the priorities set forth in Embassy Kingston's FY2003 Mission Performance Plan).
- USAID and State current programs and complementarity with potential DG interventions.
- USAID resource constraints and likely funding levels
- Activities of other international donors and USAID comparative advantages
- Jamaican political environment, local partners, GOJ, other domestic actors

On application of these filters, the assessment team gave priority to each of the following activity areas:

- Civil society capacity building
- Criminal Justice system
- Police community relations

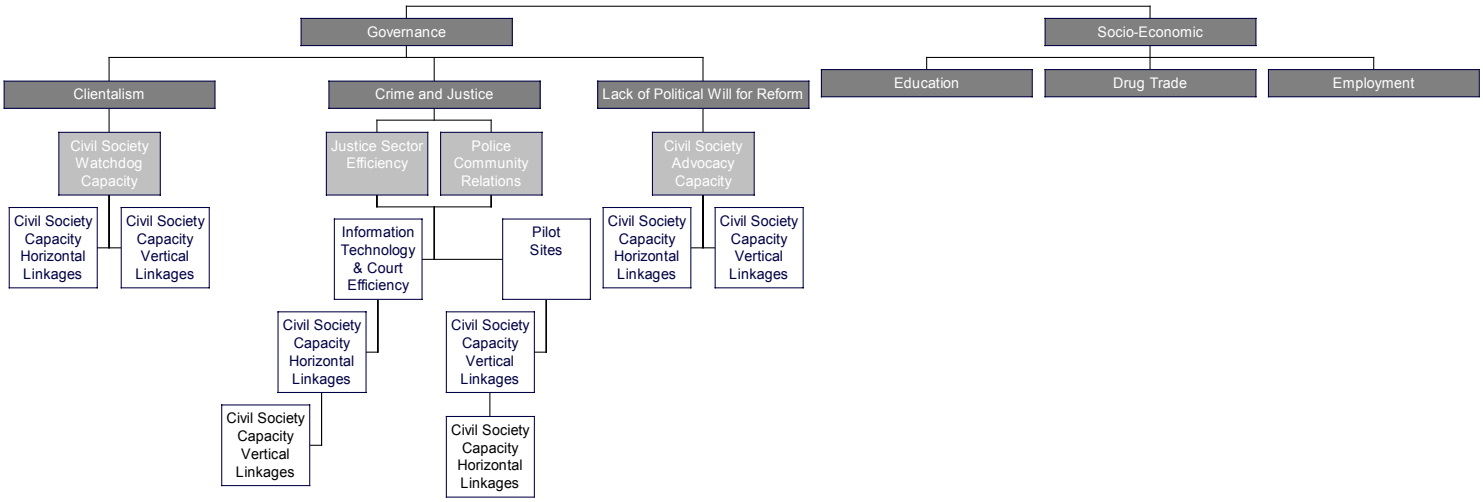
Other possible areas of intervention are ruled out for present primarily because of resource constraints and *not* because of any fundamental incompatibility between USG interests in Jamaica nor because of conflicts between current programming and proposed activities. The three proposed intervention areas will provide strong complementarities to other donor activities and, as they have wide support among those that with whom the assessment team met, are likely to be acceptable in the delicate DG environment of Jamaica.

The team believes that all three of these intervention areas are linked and can serve to mutually enforce the accomplishments of each other. For example, as civil society capacity improves, CSOs will be the most likely partners with the state in interfacing with communities and police. More efficient court proceedings will lead citizens to have greater confidence in the justice system itself and should provide people with incentives to cooperate with police to reduce the influence of gangs and other criminal elements. The recommended intervention areas can then serve as the initial core for a proposed DG SO, with other activities added as resources and or evolving circumstances warrant.

Strategic Framework

The assessment team has identified Governance issues as the chief constraint to the

Figure 3 Constraints to and Strategies in Support of Well Functioning Democracy In Jamaica



strengthening of democratic practice in Jamaica. Figure 3 outlines the contributors to governance constraints as well as the programmatic solutions that the assessment team believes are recommended after the application of filters. These interventions should be viewed as leverage points that provide a means for bringing the combined strengths of the international community and Jamaican society to bear on the most vexing problems of contemporary

Jamaican politics. While we have identified recommended areas of intervention and suggested programmatic approaches, it is beyond the purview of this assessment to construct a complete SO tree with IRs, indicators, benchmarks, etc. The assessment team was appropriately asked to leave this level of detail to the Mission itself.

In the first instance, we have identified the primary constraints to well functioning democracy in Jamaica in the areas of *governance and socio-economic issues*. Because DG interventions are likely to have the most direct and demonstrable impact on *governance* constraints, and because *socio-economic issues* are largely the purview of other Mission-level SOs, we have not expanded on these except to indicate three areas in which DG interventions may contribute to solutions. Because DG interventions should enhance the effectiveness of the state in general, we may expect marginal contributions in the areas of education, reducing the drug trade, and employment. Under the governance box, we have placed three key problems which are the targets for improvement under our recommended strategic plan: *clientalism, crime and justice, and lack of political will for reform*. For the first and last of these, we hypothesize that civil society interventions will contribute to resolving the problems described in each area. For *clientalism,* civil society's watch-dog function should provide a level of transparency that motivates public officials to reduce their reliance on patron-client ties for political gain. Further, civil society actors may go beyond simply sounding the alarm to making more concrete contributions as well. The current activities of AMCHAM and PERF in support of police reform is a good example of the kind of engaged partnership that we might expect from empowered and

motivated civil society groups. Under this model, CSOs not only check the power of the state but they may enhance the capacity of the state to operate by aiding in training of officials, and providing access to resources and technical assistance to make institutions more responsive to citizens and less so to the patron-client system. To fully achieve this, assistance should be targeted at enhancing both the horizontal and vertical linkages within and between various members of the CSO community to build their capacity to act both as a counter-weight and as a partner with state institutions.

With regard to *the lack of political will for reform*, civil society again plays an important central role but the focus here will more profitably be the advocacy capacity of CSOs. As CSOs deepen their ties to Jamaican society at large and gain credibility by expanding their memberships, their ability to articulate the interests of members becomes more convincing and their impact on public debate, and ultimately on the will for reform, should be improved. In the same vein, linking groups with common interests across civil society should also improve political will for reform as more voices can bring greater positive pressure to bear on the state. Under these circumstances, it seems plausible that political leaders will be forced to become more responsive.

In the realm *of crime and justice* constraints, specific technical aid targeted at improving information flow within the justice sector and enhancing coordination between different justice sector elements, improving court efficiency, and strengthening police-community relations should improve performance of the system dramatically. Here too, the role of civil society is also important as CSOs provide the organized societal voice through which communities can interact with both the police and the justice system.

More details regarding specific recommended interventions follow below.

VIII. POTENTIAL TACTICAL INTERVENTIONS

Based upon the foregoing, the Assessment Team has drawn a conclusion that qualified consensus exists in Jamaica for a political system based on democratic choice and popular consent, as opposed to one based on exclusion and privilege. To this end, a number of illustrative activities are presented below, that could be implemented over the short- to mid/long-term. This is premised on the following assumptions:

- USAID will be able to work in this area for at least ten years;
- USAID will be able to engage directly with civil society groups in democratic development and citizen empowerment; and
- USAID will be able to establish a common DG strategy with other donors.

Looking at the situation of Jamaica in a holistic sense, it is clear that a "short-term, project only" approach to resolving the many problems currently facing the country will not achieve maximum benefit. For demonstrable improvements to be achieved, a long-term programmatic strategy must be adopted and sustained. In a similar vein, a coordinated broad strategic approach is required; one that incorporates all available resources, works according to a clearly articulated set of objectives, and is developed through consensus. A piecemeal approach to program design

and development will not achieve any real degree of tangible improvement; worse, it will be perceived as "business as usual" by Jamaicans.

For these reasons, the Team recommends a two-pronged approach that is in part "process" and in part "practice". The process focuses on the development of a vision for Jamaica; assisting in developing implementation strategies for some of the viable plans that already exist, and facilitating a broad consensus building process that begins from grassroots levels and extends ultimately to the highest political levels of government. Here it will be crucial to support efforts to build up civil society capacities to network and to both advocate for and implement change (especially within their own communities). Closely accompanying the process focus must be the "practice" or practical elements of the USAID (and USG) programs. Underlying all of the activities listed below is the critical need for the international community to come together on priority areas. As necessary, donors should be prepared to leverage or condition their assistance on the consensus building process. But beyond this, as forward plans and implementation plans are developed in concert with Jamaicans, it will be important for external donors to adapt their programs to those plans so that all assistance providers are working toward the same goals, and doing so in a manner that is fully consistent with Jamaican realities.

The Mission should also plan to engage directly with the Jamaican ex-patriot community in the United States in the design and implementation of the DG Program. Assistance from ex pat groups should also focus on consensus building and advocating for change of the *status quo*, as well as provision of overall technical expertise and financial support.

Taking into account the overall strategy and the need for close coordination amongst donors, some tangible actions, activities and delivery of services must be provided so that those involved in the "process" can see that this approach is not just study and talk, but that it can and does result in some actual, demonstrable improvements to their daily lives.

Reflected below are the elements that the Assessment Team considers essential to development of comprehensive reform in Jamaica. We have not listed them numerically, as we do not wish to imply that implementation should be tied strictly to this sequence. In fact, because of the very complex situation in Jamaica, it is our informed view that, to the extent possible, interventions should be explored simultaneously, at least at the onset, and selectively nurtured as opportunities unfold. Flexibility and responsiveness will be important in the selection of activities, under a strategic framework approach.

The "Process"

The team recommends that all DG activities utilize and draw on the following approaches:

- Employ practical commitment to providing DG assistance in ways that model democratic practices (i.e., inclusive, consultative, participatory, grassroots oriented)
- Establish common donor framework on crime and security programs, that are fully consistent with Jamaican efforts currently planned or on-going.

- Establish a means of collaboration with US operational agencies, such as INL and ICITAP, to distinguish between "development" and "operational" components, while ensuring the compatibility of US assistance.
- Develop concentric consensus building activities, focused on key issue(s).
- Where most promising and appropriate, provide technical and financial assistance through existing SO programs to build on what is already in place or planned to maximize results.
- Emphasize civil society networking and capacity building.
- Retain the flexibility to pursue (or not) activities and approaches based on a strategic approach.
- Engage the Jamaican ex-patriot community in the US, especially in:
    - Design and implementation
    - Political pressure
    - Source of funding and expertise

Development of a vision for Jamaica

The Team understands that the government has developed a vision for Jamaica, but that this has not been shared with the citizenry. This vision needs to be publicly articulated, and made the focus of public debate and input. The ultimate product must be the result of universal consensus, and this must be quickly followed by development of a plan of action to "actualize" that vision in clear and concrete terms. There needs to be the development of an integrated national strategy for Jamaica and this must be a multi-participant approach that takes into account the country as a whole and has the focus of the "greater good versus individual wants." To the extent possible and practical, external donors should strive to design their programs to fit within the overall context of Jamaica's action plans.

Implementation of existing plans

Using as a vehicle, a research study of best practices, lessons-learned, and success stories, identify existing models and plans that can be replicated and/or implemented, particularly in the most vulnerable and poverty-stricken areas of the country. USAID should undertake direct assistance to support implementation activities where financially possible, and encourage other donors, business leaders, and ex pats to do likewise.

The Team was repeatedly informed that Jamaica does not lack plans, it lacks the wherewithal to implement the plans. For existing programs, it may be necessary to develop a master plan to avoid duplication of effort and competing or inconsistent approaches. Regardless of whether or not plans already exist, the development of detailed implementation strategies (or roadmap) is an essential part of consensus building, without which the efforts will ultimately come to naught.

Building consensus

USAID, and hopefully other interested donors, should facilitate a process of developing consensus around key issues (as further elaborated in the illustrative programmatic interventions section). One or two priority areas should be targeted, such as citizen empowerment and

development of a sense of civic responsibility in citizens, and developing a strategy to address crime, around which agreement can be reached. It will be important that the consensus process not be interpreted as a matter of determining who and what actions are right or wrong (which tends to be the current order of the day); rather it must be a process of bringing together the key players and identifying areas in which there might be collaboration and unity.

While consensus building must ultimately involve the political players in Jamaica, those at the highest levels may not be prepared to come to the table at the present time. The coming elections are likely to increase rather than decrease the willingness of political party leaders to engage in multi-partisan cooperative ventures. However, the Team was told several times, that faced with an issue around which a substantial level of consensus has already been developed, the political parties would feel obliged to come to the table and participate. The approach should therefore build on the premise that the more we work with civil society to organize and improve the situation in Jamaica, the more the Government will want to participate in the process. In addition, it was suggested in several interviews that young political leaders may represent the most fertile ground for reform and consensus building activities.

In view of the fact that it may be difficult to engage with political leaders initially, the focus of the consensus building activities should be at the level of civil society (including the business sector). Consensus can be pursued through a series of workshops or roundtable discussions, but must result in articulation (and documentation) of concrete goals and implementation plans. Where possible, the international community must be prepared to participate (technically and financially) in the implementation process.

Civil Society Development and Strengthening

We know that Jamaican civil society represents the greatest available resource to begin a comprehensive process of reform. Indeed, a common refrain during interviews was that change can only result from a bottom up approach. At the current time however, we recognize that many community based organizations lack capacity, especially at the grassroots levels. For example, the Team was told that approximately 50 percent of efforts by CBO's had to focus on fund raising, rather than mission activities.

For existing civil society organizations, they will need assistance to strengthen their leadership, administrative, and advocacy skills. To the extent that organizations are absent in a certain region or are not focusing on an area deemed to be of critical importance, it may also be necessary to provide assistance to create new organizations. But at the same time, an effort that parallels strengthening CBO's will be required to bring together civil society organizations working in like areas to develop a common agenda, platform and action plan. A key part of this process will involve determining efficiencies that could be achieved by sharing of administrative facilities and staff.

Insofar as NGO's are concerned, USAID needs to link with NGO's that are both programmatically and administratively sound, and preferably already have a proven track record in Jamaica. One issue that needs to be surmounted in this regard, however, is that of the scarcity of NGO's with such credibility and positive track records. Those that do exist tend to be used repeatedly and simultaneously by donors, and this could impair program effectiveness.

To the greatest degree possible, civil society assistance efforts should build upon existing USAID programs; they should also include public and private sector businesses. This is of particular importance since well-established businesses are potential contributors to overall reforms, financially and technically, as well as representing possible sources of employment.

Illustrative programmatic interventions

Strengthening rule of law

a) Community/Police Relations

Much work has been undertaken and is planned in the area of improvement of relations between the police and the communities they serve. Among those currently under consideration or in the early stages of implementation are those developed by the British assistance agency; DFID; the IDB; and the Police Executive Research Foundation (PERF), underwritten by the American Chamber of Commerce, and with generous support from both US and Jamaican businesses. In addition, as reflected in Chapter V, ICITAP carried out extensive programming in Jamaica for more than ten years.

Two specific types of assistance efforts could provide a valuable contribution by the USG under the aegis of this USAID democracy and governance development program. The first is of relative short duration and is simply a practical exercise to review with all principals existing programs and proposals to ensure that all are consistent with the overall goals and objectives of the JCF.[59]

Secondly, and this was endorsed by Police Commissioner Forbes during our interview with him, the Team recommends secondment of at least one senior level police officer with expertise in community policing (preferably from a big city force that has recently undertaken a successful transition to community policing, such as Boston or Seattle). We recommend that said officer be assigned for no less than a one year period and that the principal task should be that of working with the JCF to identify one or more model communities in which community policing could be introduced. In this process, it will be critical to work in full partnership with other international donors (to wit, DFID and the IDB), and existing community level assistance projects currently supported by USAID and other donors.

This approach should be complemented with project-funded, community-based activities that address local needs, such as those made available in the Grants Pen and Standpipe communities through the recent Kingston Restoration Company grant provided by USAID under its "Inner City Program". Establishing a model station in Grants Pen, for example, where there currently is

[59] The issue here is twofold: (1) to ensure that at the procedural levels, all assistance programs are designed and implemented in a manner that is consistent with operational policies. To the extent that some of these may need to be changed to incorporate new methodologies, said changes should be carried out with a view to the cohesive functioning of the whole force, pursuant to policy and regulatory requirements; and (2) that, where possible, synergies can be identified and supported between police assistance programs and other community support programs – those already on-going or planned.

no police station and just as grantee activities are getting underway, would give synergy to both USAID's programs and enhance the likelihood of a much-needed community policing "success story."

Important to improving the efficiency of the criminal justice system is establishment of a standardized communications and management information system (police, public prosecutor, public defender, and courts). A problem that cross-cuts the entire judicial sector is that of inadequate information flow and lack of standardization in the data that are to be collected and included in case files. In addition to court delays, lengthy detention in awaiting trial, and case backlog, are among the other negative consequences of this lack of a centralized case tracking system. This in turn undermines the performance of individual justice sector institutions and creates opportunities for corruption. Automation of case and investigative information could contribute to an amelioration of the current system, but such efforts would have to be accompanied by the establishment of standards and procedures that govern the collection, storage and use of information.

Improving court efficiency, especially within the Resident Magistrate courts where 85 percent of cases are heard, is also important. In particular, these courts lack modern court reporting facilities and automated case management capabilities – which is contributing to court delay and backlog.

b) Training of the JCF (ICITAP follow-on) and Institutionalization of Training

In speaking with the Police Commissioner Forbes, he mentioned several other areas in which he would like to receive technical assistance from the US. These include:

- Investigative training for detectives and other types of specialized training;
- A secondment of from one to two years of an expert in the collection and analysis of data related to crimes in Jamaica;
- Training and equipment related to preservation of crime scenes and collection, analysis and presentation of evidence; and
- The development of automated systems in specialized areas, such as gun tracing and information on homicides, to facilitate cross-referencing and identification of commonalities and trends.

In addition to these areas, the Team also recommends that any police assistance project should focus on regional efforts in law enforcement. In particular, we recommend a USG re-engagement with the Association of Caribbean Commissioners of Police (the ACCP), a regional association created in concert with ICITAP, which serves as a consultative and oversight body for regional trends and law enforcement initiatives.

With respect to responsibilities for implementation of the above activities, these activities fall into two broad categories: those that are developmental in nature, to wit, the community policing project; and those that are more tactical and operational. The Team recommends that the developmental assistance be fully incorporated into the DG program being developed by the USAID Mission. Regardless of the implementer (and funding source) ultimately selected by the USG, the community policing activities need to be integrated into existing "inner city"

community support and development projects discussed above. The tactical and operational assistance should continue to be supported by INL-funded programs, in close coordination with USAID activities.

Finally on this subject, the issue of coordination between police assistance programs that are developmental in nature and those that focus directly on the operational activities of the JCF is critical. While training activities can be carried out in support of both developmental and operational objectives, and thus can be implemented by developmental or operational agencies, it is nevertheless critical that all training curricula be culturally relevant to Jamaica, and that the classroom skills taught are fully consistent with local laws. However, integrating the skills learned through training into the daily operational environment in which they might be used in Jamaica is as important as the training itself. This implies development of corresponding policy and operational procedural documentation, and an understanding by the management of the JCF on how and when the skills should be deployed. It is the recommendation of the Team, that the entity charged with implementing the above-described development program actively engage with the US law enforcement agencies present in Jamaica to ensure that all assistance activities are coordinated and that the benefits derived are fully institutionalized into the JCF.

Civil Society Strengthening/Citizen Empowerment

We know that Jamaican civil society represents the greatest available resource to begin a comprehensive process of reform.

Strengthening CSO Sector Horizontal and Vertical Linkages

The Team recommends an active program focused on strengthening civil society organizations and providing assistance to implementation of plans developed during the course of these activities. We recognize that in view of the very disparate nature of civil society groups at the current time, it may be necessary to provide assistance in the formation of an "umbrella" organization or network under which several groups (focused on similar agendas) could work. While the primary purpose would be that of facilitating networking and development of common agendas, the umbrella organization could provide the opportunity of pooling resources (especially in the administrative areas) and gaining strength and experience. This could aid CSOs in taking advantage of economies of scale and contribute to the consensus building agenda. To initiate this process, we recommend convening a series of summits or fora that bring together civil society organizations to identify key problems, reach consensus on priority areas, develop action plans, and determine practical means of implementing the activities necessary to reach goals.

Further technical assistance and training should also follow to provide a wide array of CSOs with the ability to improve their own internal operational efficiency. Areas of training could include:

- Internal Communication Strategies
- Fundraising strategies
- Transparent financial management
- Conflict resolution/negotiation strategies

- Advocacy
- Internal democratic practices
- Leadership skills
- Jamaican laws relating to advocacy
- Strategies for growing membership

Community-Based Activities

It will be important to develop locally based activities that demonstrate how government can work with civil society to address local needs when consensus is reached. As necessary, work with the "dons", but do so in a transparent and accountable manner (i.e., don't provide money directly).

Rehabilitation of downtown Kingston and essentially "changing the face" of the capital, would go a long way towards changing the mindset of citizens. Such efforts need not be costly and could involve a simple clean up/face lift process. To the extent that visible improvements could be made in the downtown areas, this could be the impetus for more widespread process of community ownership and civic responsibility for their own neighborhoods. It could also contribute to improved citizen security and safety.

Civic Education

As previously observed, many Jamaican citizens do not have a full appreciation of their rights and responsibilities as participants in a democratic form of government. We therefore recommend revisions in the public school social studies curricula to incorporate a stronger civic education component. However, information regarding civic responsibilities should not be limited only to the schools, but needs to be shared with Jamaican society in general. This could be done via media campaigns, as parts of all programs currently ongoing in local communities, and through the arts (such as drama, music, etc.) The assessment team believes that while civic education may not take a primary focus of initial DG programming, it may well be an initiative that can be readily supported because of its identification as an issue that many CSOs or on which the CS sector and the state can find easy agreement. Thus insofar as it serves the meta-goal of consensus building and strengthening the CS sector as a whole, this may represent an excellent strategic choice.

Best Practices and Lessons Learned

In view of the many "success stories" that already take place across Jamaica, it is recommended that an analytic study be carried out with a view to compiling data relative to projects and approaches that have achieved successes and those that have fallen short of objectives. The purpose of such a study is to extract those positive elements that might be replicated in other projects and locations in Jamaica, then to assist in the process of implementing similar efforts in other communities (both USAID and other internal and external donor funded programs). Examples of projects that are considered successful would include the Craigtown project, the Bauxite project, etc.

Over the longer term, consideration should be given to establishing within Jamaica the internal capability to conduct these types of studies and analyses on an on-going basis and proactively incorporating the results into the forward planning process. In this way, as donors wish to provide assistance, there would be a readily available and reliable source of data that tracks ongoing programs, results, successful approaches, and areas in which assistance is required.

On the whole, there is need to strengthen democratic institutions and to enhance citizen participation in decision making. The assessment team believes that USAID/Jamaica should consider doing this through *strengthening rule of law*, and *empowering civil society*.

IX. APPENDICES

Appendix A: Five Assessment Variables

- **Consensus:** is said to exist when (a) there exists basic agreement on the most fundamental rules of political life, (b) there is agreement on the parameters of the state and definition of citizenship, and (c) there is agreement on the rules for achieving power.

- **Rule of Law:** considers if the consensus is enforced and or enforceable by examining to what degree (a) the basic legal structures for public and private activities and interactions which the state and society are committed to, (b) basic human rights are observed and the rule of law is applied equitably, (c) personal security is guaranteed by the state, and (d) the judiciary has integrity and independence.

- **Competition:** is looked at (a) in the political system, notably through elections, (b) in the media, and in the "marketplace of ideas;" (c) through the ability of citizens to legally organize to pursue their interests in a pluralistic civil society; (d) in the degree to which economic competition is politicized; and (e) in competition within government.

- **Inclusion:** and its antithesis exclusion are considered to see if (a) any elements of society are excluded formally or informally from meaningful political, social, or economic participation because of religion, ethnicity, gender, geography, or income status; or (b) there exists widespread political participation and low levels of disaffection or apathy.

- **Good Governance:** viewed not merely as the functioning of the governmental machinery, but also the functionality of social institutions. Hence there is interest in whether (a) overall there is adequate governance by the state and by public and private sector agencies, and (b) agencies are accountable, transparent, and efficient.[60]

[60] For a further discussion of these five areas and USAID's overall analytic framework for democracy assessments, see USAID Center for Democracy and Governance*, Conducting a DG Assessment: A Framework for Strategy Development*, available at http://www.usaid.gov/democracy/center/sa.html .

Appendix B: Democracy and Governance Institutions and Actors

1. Governmental Political: Executive	Governmental Administrative: Executive
Governor-General ❑ Sir. Howard Felix Cooke	Geoffrey Madden Secretary to the Governor-General
Prime Minister & Min. of Defense ❑ Percival J. Patterson ~~ Minister of Information ❑ Senator Maxine Henry-Wilson ~~ Minister of State ❑ Derrick Kellier	Permanent Secretary Charmaine Constantine
Deputy Prime Minister & Minister of Land & Environment ❑ Seymour Mullings	
Minister of Finance & Planning ❑ Dr. Omar Davies ~~ Ministers of State ❑ Michael Peart ❑ Errol Ennis	Financial Secretary Shirley Tyndall
Minister of Tourism & Sports ❑ Portia Simpson-Miller ~~ Minister of State ❑ Wykeham McNeil	Director General Carole Guntley-Brady
Minister of Mining & Energy ❑ Roger Pickersgill	Permanent Secretary Godfrey Perkins
Minister of Foreign Affairs ❑ Dr. Paul Robertson	Permanent Secretary Ambassador Stafford Neil
Minister of Foreign Trade ❑ Anthony Hylton	Permanent Secretary Ambassador Stafford Neil
Minister of Trans. & Works ❑ Dr. Peter Phillips ~~ Minister of State ❑ Dean Peart	Permanent Secretary Dr. Alwyn Hayles
Min. of National Security & Justice ❑ K.D. Knight	Permanent Secretary Elaine Baker

~~ Minister of State
- Ben Claire

Minister of Education & Culture — Permanent Secretary
- Senator Burchell Whiteman — Marguarite Bowie

~~ Minister of State
- Phyllis Mitchell

Minister of Agriculture — Permanent Secretary
- Roger Clarke — Aaron Parke

~~ Minister of State
- Dr. Fenton Ferguson

Minister of Health — Permanent Secretary
- John Junor — George Briggs

Minister of Local Government, Youth & Community Development — Permanent Secretary Barbara Jones
- Arnold Bertram

~~ Minister of State
- Fitz Jackson

Minister of Water & Housing — Permanent Secretary
- Dr. Karl Blythe — Thorant Hardware

Ministry of Industry Commerce & Technology — Permanent Secretary Faye Sylvester
- Phillip Paulwell

~~ Minister of State
- Colin Campbell

Minister of Labor & Social Security — Permanent Secretary
- Donald Buchanan — Anthony Irons

~~ Minister of State
- Horace Dalley

Attorney General
- Senator A. J. Nicholson

2. Political Governmental: Legislative and Judicial

Speaker of the House of Assembly
- Violet Neilson

Leader of the House

- Dr. Peter Phillips

Clerk to the House of Assembly
- Shirley Lewis

President of the Senate
- Syringa Marshall-Burnett

Leader of Government Business in the Senate
- Senator Maxine Henry-Wilson

Chief Parliamentary Counsel
- Hyacinth Lindsey

Director of Public Prosecutions
- Kent Pantry

Public Defender (formerly called Parliamentary Ombudsman)
- Howard Hamilton

Chief Justice
- Lensley J. Wolfe

President of the Court of Appeal
- Ian Forte

3. Other Political and Administrative

Secretary to the Cabinet
- Dr. Carlton E. Davis

Auditor General
- Adrian Strachan

Contractor General
- Derrick McKoy

Director of Elections
- Danville Walker

Electoral Advisory Committee
- Professor Errol Miller, Chairman

Office of Utilities Regulation
- Winston Hay, Director General

Jamaica Labor Party
- Edward Seaga, Leader

National Democratic Movement
- Bruce Golding, President

People's National Party
- Percival J. Patterson, Leader

4. Law Enforcement and Security

Corrections Department
- Col. John Prescod, Commissioner of Corrections

Immigration Department
- Joy Frazer, Director

Island Special Constabulary Force
- Wilbert L. McNight, Commandant

Jamaica Constabulary Force
- Francis Forbes, Commissioner of Police

Jamaica Defense Force
- Major General John Simmonds, Chief of Staff

Port Security Corps
- Christopher Honeywell, Managing Director

Private Security Regulation Authority
- Wesley Moss, Executive Director

Regional Drug Training Center
- ACP Bertram Millwood, Director

5. Local Government Mayors

Kingston and St. Andrew
- Marie Atkins

Portland
- Phillip Thomas

St. Mary
- Fitzroy Nicholson

St. Ann
- Charles Tate

Trelawny
- Joseph Wright

St. Catherine
- Owen Stephenson

Clarendon
- Minnie Clarke

Manchester
- Horace Williams

St. Elizabeth
- Daphne Holmes

Hanover
- Lloyd Hill

St. James
- Hugh Solomon

Westmoreland
- Ralph Anglin

St. Thomas
- Owen Aitkenson

6. Civil Society

a. *Media, Education, and Religion*

CVM TV
- Neville Blythe

Jamaica Gleaner
- Oliver Clarke, Chairman and Managing Director

Jamaica Observer
- Lincoln Robinson, Managing

Radio Jamaica (and other media outfits in RJR Communications)
- J. A. Lester Spaulding, Chairman & Managing Director

National Council on Education
- Dr. Rex Nettleford, Chairman

Northern Caribbean University
- Herbert Thompson, President

University of Technology
- Dr. Rae Davis, President

University of the of the West Indies-Mona
- Dr. Kenneth Hall, Principal and Pro-Vice Chancellor

Anglican Diocese of Jamaica
- Right Reverend Dr. Alfred Reid, Lord Bishop

Archdiocese of Kingston (Roman Catholic)
- Most Rev. Edgerton Clarke, Archbishop of Kingston

Church of God in Jamaica
- Pastor Kenneth Smith, Chairman

Ethopian Orthodox Church
- Keswolde Dawit, Administrator

Jamaica Association of Evangelicals
- Rev. Rennard White, President

Jamaica Baptist Union
- Rev. Karl Henlin, General Secretary

Jamaica Council of Churches
- Rev. Fr. Howard Gregory, President

Jamaica Methodists
- Rev. Phillip Robinson, Chair

Jamaica Pentecostal Union
- Bishop Frank Otto, Chairman

Moravian Church in Jamaica
- Rev. Stanley Clake, President

Religious Society of Friends

- Rev. Stanley Perkins, Pastor

Roman Catholic Church
- Right Rev. Edgerton Clarke, Archbishop of Kingston

Salvation Army
- Col. Dennis Phillip, Territorial Commander

United Church of Jamaica and Cayman Islands
- Rev. Dr. Gordon Evans, Moderator

West Indies Union of Seventh Day Adventists
- Pastor Leon Wellington, President

b. *Civic and Professional groups*
All Island Banana Growers Association
- Bobby Pottinger, Chairman

Bankers Association of Jamaica
- William Clarke, President

Citizens Action for Free and Fair Elections
- Archbishop Emeritus Samuel Carter, Acting President

Independent Jamaican Council for Human Rights
- Dr. Lloyd Barnett, Chairman

Jamaica Bar Association
- Derek Jones, President

Jamaica Chamber of Commerce
- Donald, Lynn, Executive Director

Jamaica Exporters Association
- Beverly Lopez

Jamaican Federation of Musicians
- Desmond Young, President

Jamaica Hotel and Tourist Association
- James Samuels, President

Jamaica Manufacturers' Association
- Clarence Clarke

Jamaica Press Association
- Donna Ortega, President

Jamaicans for Justice
- Dr. Carolyn Gomes, Chair

Private Sector Organization of Jamaica
- Peter Moses, President

Small Business Association of Jamaica
- Andrea Graham, President

Transparency International-Jamaica
- Trevor Macmillan, President

c. Labor Unions

Bustamante Industrial Trade Union
- Hugh Shearer, President

Jamaica Association of Local Government Officers
- Stanley Thomas, President

Jamaica Civil Service Association
- Edward Bailey, President

Jamaica Confederation of Trade Unions
- Hugh Shearer, President

Jamaica Teachers Association
- Lorraine Spencer-Jarrett, President

Jamaica Union of Public Officers and Public Employees
- Fitzroy Bryan, President

Jamaica Workers' Union
- Clifton Brown, President

National Workers' Union
- Clive Dobson, President

Nurses Association of Jamaica
- Edith Allowood-Anderson, President

Trades Union Congress
- Edward Smith, President

Union of Schools, Agriculture and Allied Workers
- Dwayne Barnett, President

United Union of Jamaica
- James Francis, President

Union of Technical, Administrative, and Supervisory Personnel
- Anthony Dawkins, President

University and Allied Workers' Union
- Prof. Trevor Munroe, President

Appendix C: Some Major Democracy and Governance Legislation[φ]

- Civil Service Act
- Citizenship (Constitutional Amendment) Act of 1999
- Commissions of Inquiry Act of 1969
- Contractor General Act of 1983
- Correction (Amendment) Act of 1995
- Corruption Prevention Act of 1931
- Corruption Prevention Act of 2001
- Criminal Justice (Administration) (Amendment) Act of 1994
- Criminal Justice (Reform) Act of 2001
- Customs Act

- Drug Court Act of 1999
- Dangerous Drugs Act of 1948 (with numerous subsequent amendments)
- Domestic Violence Act of 1995
- Drug Court (Treatment and Rehabilitation of Offenders) Act of 1999
- Drug Offenses (Forfeiture of Offenses) Act of 1994
- Emergency Powers Act
- Emergency (Public Security) Act of 1966
- Evidence (Amendment) Act of 1995
- Excise Duty Act
- Extradition (Amndment) Act of 1995
- Food and Drugs Act
- Gun Court (Amendment) Act of 1999
- Income Tax Act

- Jamaica (Constitution) Order in Council 1962
- Jamaican Nationality (Amendment) Act of 1999
- Judicature (Revenue Court) Act of 1971
- Judiciary Act of 1972
- Judicature (Resident Magistrates)(Amendment) Act of 1995
- Judicature (Resident Magistrates)(Amendment) Act of 1999
- Judicature (Revenue Court) Act
- Judicature (Rules of Court) Act
- Judicature (Supreme Court) (Amendment) Act of 1999
- Jury Act
- Justices of the Peace Act
- Juveniles Act of 1951
- Juveniles (Amendment) Act of 2000
- Justices of the Peace Jurisdiction (Amendment) Act of 1995

φ This is not a complete list of all legislation relating to the various democracy and governance areas, but a listing of some key ones relating to areas covered in this report. Also, the many revisions of some of the laws are not reflected here.

- Jury (Amendment) Act 1999

- Kingston and St. Andrew Corporation Act
- Law Reform (Protection and Enforcement of Public Rights) Act of 1999
- Labor Relations and Industrial Disputes Act
- Military Training (Prohibition) Act
- Money Laundering (Amendment) Act of 1999
- Noise Abatement Act of 1997
- Office of Utilities Regulation Act of 1995
- Ombudsman Act of 1978

- Parish Council Act
- Parliament (Integrity of Members) Act of 1972
- Parliament (Membership Questions) Act of 1963
- Parole Act
- Perjury Act
- Port Authority Act
- Precursor Chemicals Act of 1999
- Prevention of Crime (Special Provisions) Act of 1963
- Public Authorities Protection (Amendment) Act of 1995
- Public Defender (Interim) Act of 1999
- Public Order Act
- Public Service (Attendance of Witnesses) Act
- Public Utilities Protection Act

- Real Property Representative Act
- Registration of Electors (Prescribed Age) Special Act 1972
- Representation of the People Act of 1944
- Representation of the People (Interim Electoral Reform) (Amendment) Act of 1996
- Representation of the People (Postponement of Enumeration Period) Act of 1996
- Representation of the People (Validation and Indemnity) Act of 1997
- Revenue Board Act

- Senate and House of Representatives (Powers and Privileges) Act
- Sharing of Forfeited Property Act of 1999
- Solicitor General Act
- Trade Union Act
- Traffic Court Act
- Witness (Public Inquiries) Protection Act of 1964

Appendix D: Judicial Reform Efforts to Date

(i) Act 17, of 1990, established the Police Public Complaints Authority (PPCA) which investigates allegations of wrongful conduct on the part of the police, including allegations of corruption. The Chairman of the PPCA is a retired judge, and it uses police personnel to conduct a majority of its investigations.

(ii) Act 30 of 1994, introduced a traffic ticketing system for Jamaica. This Act has assisted considerably in the reduction of traffic cases going to the Resident Magistrate Courts, as it allows an offender who accepts liability to pay the fine levied at government revenue collection points.

(iii) The Drug Offences (Forfeiture of Proceeds) Act, 1994, provides for the forfeiture of assets associated with drug trafficking for those persons convicted of a drug-trafficking offence.

(iv) The Domestic Violence Act of 1995, provides remedies for domestic violence, including restraining orders and other non-custodial sentencing. Breaching a restraining order is punishable by a fine of up to J$10,000 (US$250) and/or six months imprisonment.

(iv) The Resident Magistrates Court (Amendment) Act of 1999,established a Small Claims Division of the Resident Magistrates Court in the parish of Saint Andrew on a pilot basis in late 1999. The objective of this exercise is to provide a simple and quick procedure for the resolution of uncomplicated small claims (J$50,000 and below) where the parties are not represented by Attorneys.

(v) The Public Defender Act of 1999 established the post of Public Defender with a mandate to bring cases for individuals before the courts where it appears that their constitutional rights have been violated.

(vi) The Maintenance Orders (Facilities for Enforcement)(Amendment) Act of 1999, conferred on the Family Court, Resident Magistrates Courts and the Supreme Court, concurrent jurisdiction to enforce maintenance orders made by foreign courts.

(vii) The Jury (Amendment) Act of 1999, amended the Jury Act to make provision for several matters including: (a) expansion of the circumstances in which a juror may be excused from serving to include hardship or financial loss; (b)an increase in daily allowances payable to jurors by order; and (c)an increase in fines for non-attendance or refusal to serve.

(viii) The Gun Court (Amendment) Act of 1999 provided for the establishment of regional Gun Courts. The first of these is located in Montego Bay to serve the parishes of Trelawny, Saint James, Hanover and Westmoreland. The objective of the legislation is to clear the backlog of firearm cases in these parishes and generally to facilitate the speedy disposal of such cases.

(ix) The Money Laundering(Amendment)(No.2) Act of 1999, raised the general threshold level for transactions to be reported by financial institutions to the Director of Public Prosecutions, and provided for exemptions from the duty to report at the threshold. It also required financial institutions to report suspicious transactions.

(x) The Sharing of Forfeited Property Act of 1999, provides for the sharing of drug related assets, pursuant to an agreement, between Jamaica and another state which is a party to the Vienna Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. Jamaica recently signed a treaty with Canada for this purpose.

(xi) The Judicature (Supreme Court)(Amendment) Act of 1999, provided for the appointment of additional Registrars to deal with the increase in the number of matters filed in the Supreme Court.

(xii) The Drug Court Act of 1999, provides for Resident Magistrates Courts to exercise a drug court jurisdiction with power to send drug offenders for treatment and rehabilitation. The first drug court has been established on a pilot basis in Kingston.

(xiii) The Criminal Justice (Reform) Act of 2000, provided judges with non-custodial sentencing options as well as an ability to impose a requirement to attend a day training centre on a person convicted of a short-sentence offence (two years and less).

(xiv) The Corrution Prevention Act of 2000, allows the media to publish information on on-going corruption investigations. Previously the Government had sought to introduce a Bill which provided that journalists could be fined up to J$1 million (US$25,000) and receive 10 years imprisonment for publishing information on an ongoing corruption investigation. The original Bill was withdrawn after strong opposition was demonstrated by the media.

(xv) The Bail Act of 2000, seeks to promote copnsistency in the approach taken by Bail decision-makers. It requires the reason for the denying of Bail to be stated in writing and gives a right of appeal against the denial of Bail.

(xvi) The Legal Aid Act of 2000, provides for the provision of legal aid to persons charged with any criminal offences except those covered under certain provisions of the Money Laundering Act or possession or trafficking in narcotics under the Dangerous Drugs Act. Persons arrested by the police now have a right to call on the services of legal aid duty counsel established under the Act. The Act also provides for legal aid in civil cases.

(xvii) In December 2000, a draft Interception of Communications Bill was introduced in Parliament. This Bill, if passed into law, would place authorization for police wiretapping in the hands of the judiciary and remove it from the authority of the Prime Minister where it resides at the moment.

Appendix E: Institutional Architecture

"In the total absence of social conflict political institutions are unnecessary; in the total absence of social harmony, they are impossible."[61] This statement resonates powerfully in Jamaica, where there has long been a delicate balance between social conflict and social harmony.

In Jamaica, the institutions that should serve to exercise a balance between social conflict and social harmony by allocating power and permitting its use, exist within an executive, legislative, and judicial framework, and operate as part of a parliamentary democracy. The structure and function of civil society, broadly defined, is also outlined in this section.

Executive

Executive power is vested in the Queen, and exercised by the Governor-General, whom the Queen appoints on the recommendation of the Prime Minister (PM). The Governor-General performs the largely ceremonial functions of head of state. In most cases, the Governor-General acts only on the advice of the Prime Minister, but on some occasions he acts on the advice of both the Prime Minister and the Leader of the Opposition, or on the advice of his Privy Council.[62]

Substantive power in the executive branch lies with the PM and the Cabinet. Although the theory of parliamentary government points to the PM as *primus inter pares* (chief among equals) within the Cabinet, the PM is a predominant leader, with capacity to influence choice and stifle opposition within the Cabinet (and elsewhere in the political system).[63] The PM's authority and assumption of office are a function of the "fusion of branches" aspect of parliamentary government—as opposed to the "separation of powers" principle of most presidential systems. Hence, P.J. Patterson is Prime Minister because the party he leads—People's National Party (PNP)—won control of the popularly elected House of the bicameral Parliament in the last elections, held on December 18, 1997.[64]

Cabinet ministerial appointments go to some of the party stalwarts who win at the polls, although some Cabinet positions go to party members in the non-elected Senate. Some Cabinet

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[61] Huntington, *Political Order in Changing Societies*, p. 9.

[62] The Privy Council being referred to here is not the Judicial Committee of the Privy Council, which is a judicial body, but the entity established under Section 82 of the Jamaica Constitution as a six-member advisory body to the Governor-General. Members serve for three years, and the Council advises the Governor General on issues related to clemency and disciplinary appeals from the public service. For more on the subject, see Lloyd G. Barnett, *The Constitutional Law of Jamaica* (Oxford: Oxford University Press, 1977), pp. 181-83.

[63] For a discussion of the theory and practice of Cabinets in parliamentary systems (which are different from those in presidential systems), see Ivor Jennings, *Cabinet Government* (Cambridge: Cambridge University Press, 1969); and Michael Laver and Kenneth A. Shepsle, eds., *Cabinet Ministers and Parliamentary Government* (Cambridge: Cambridge University Press, 1994). For a discussion of Caribbean Prime Ministers as predominant leaders, see Ivelaw L. Griffith, *The Quest for Security in the Caribbean* (Armonk, New York: M.E..Sharpe, 1994), chapter 2.

[64] Although simple majority control is all that's needed for one party to "form the government," the PNP secured preponderant control, winning 50 of the 60 parliamentary seats.

ministers hold more than one portfolio.[65] For example, Prime Minister P. J. Patterson is also Minister of Defense, and Minister Arnold Bertram has the portfolios for local government, youth, and community development. Partly because of multiple portfolios, some Ministers also have Ministers of State—and sometimes Parliamentary Secretaries—assigned to them by the Prime Minister. Key to the functioning of ministries at the administrative level are Permanent Secretaries, the un-elected senior civil service cadre who remain in place regardless of the party in power.

The executive is made-up of a host of other Ministries including Finance & Planning which is the largest in terms of budget expenditures and which also performs important development, planning, and coordination functions through the Planning Institute of Jamaica. Other than Ministry of National Security and Justice, the larger ministries are the Ministry of Health, and Ministry of Education & Culture. Other executive ministries include:

- Administrator General
- Ministry of Agriculture
- Auditor General
- Contractor General
- Electoral Office
- Ministry of Industry, Commerce & Technology
- Jamaica Customs
- Ministry of Labour & Social Security
- Ministry of Local Government, Youth & Community Development
- Ministry of Transport & Works

Ministry of National Security and Justice

The security establishment has several parts to it, but the two most important ones are the Jamaica Defense Force (JDF) and the Jamaica Constabulary Force (JCF).

A. The Jamaica Defense Force

The JDF has the mandate to defend the nation from external threats and help provide internal order. Its declared duties include assistance with the maintenance of essential services, such as electricity and water supplies; assistance of the population in the event of disaster; protection of the country's maritime zone; and search and rescue by air, land, and sea. The JDF also has a two-fold role in drug interdiction: 1) The coast guard provides active patrols of Jamaica's maritime waters and coastline, and 2) through the provision of intelligence to the police force by way of its military intelligence unit. They also are permitted to render aid to other Caribbean countries through the regional security system.

Policy direction for the JDF falls to the Defense Board. Currently it comprises the Prime Minister (and Minister of Defense), as Chairman, the Minister of National Security and Justice, the JDF Chief of Staff, and the Permanent Secretary of the Ministry of National Security and Justice, who is also Secretary of the Board. Operational control of the Force lies with the Chief

[65] See Appendix X for list of current cabinet ministers.

of Staff, subject to overall direction from the Cabinet. However, the Prime Minister is able give the Chief directions for operational use of the Force without formal Cabinet direction.

B. The Jamaican Constabulary Force

The JCF, founded in the aftermath of the 1865 Morant Bay rebellion, is the other major security agency. It is responsible for the maintenance of law and order, the prevention and detection of crime, the protection of life and property, the investigation of alleged crime, and the enforcement of all criminal laws. Operational control of the JCF is the responsibility of the Commissioner of Police, who reports to the National Security and Justice minister on policy matters. Three Deputy Commissioners and 12 Assistant Commissioners aid the Commissioner in the management of the Force.

Operationally, the Force is organized into five geographic Areas:

- Area 1: St. James, Hanover, Trelawny, and Westmoreland
- Area 2: St. Mary, St. Ann, and Portland
- Area 3: Clarendon, Manchester, and St. Elizabeth
- Area 4: St. Andrew South, Kingston West, Kingston East, & Kingston Central
- Area 5: St. Andrew North, St. Thomas, St. Catherine North, & St. Catherine South.[66]

Moreover, the JCF works through several unit and divisions, including the regional drug training center, the forensic laboratory, the National Firearm and Drug Intelligence Center, the narcotics division, the Special Anti-Crime Task Force, Community Relations, Mobile Reserve, and internal affairs.[67]

C. The Director of the Public Prosecutions

The Director of Public Prosecutions (DPP) has the legal authority to initiate, continue or discontinue all criminal proceedings in any court in Jamaica. These cases include Extradition, Mutual Legal Assistance and Money Laundering. Recently a Financial Crimes Unit seized with authority to investigate and prosecute white-collar crimes was placed under the jurisdiction of the DPP. The DPP has no line authority over the Police who conduct investigations and present their findings to the DPP for a ruling as to whether a particular case should be prosecuted or not.

D. The Office of the Public Defender

Section 13 of The Public Defender Act of 1999 provides for the establishment of a Public Defender. In the words of the present Public Defender, "The Public Defender acts as a voice for the voiceless and also to represent victims of hardship, injustice, or constitutional violations by

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66 See Jamaica Constabulary Force, *JCF Annual Report 1999-2000*. Kingston, 2000.

67 For more on the security establishment, see Humberto García Muñiz, "Defense Policy and Planning in the Caribbean: The Case of Jamaica," in Jorge Rodríguez Beruff, J. Peter Figueroa, and J. Edward Greene, eds., *Conflict Peace, and Development in the Caribbean* (New York: St. Martin's Press, 1991); Griffith, *The Quest For Security in the Caribbean*, chapter 5; and Anthony Harriott, *Police and Crime Control in Jamaica* (Kingston: University of the West Indies Press, 2000), chapters 2-6; www.jdfmil.org, and www.infochan.com/jcf.

the State. My role is not to replace the courts or the legal fraternity, because you have lawyers, you have legal aid, you have the Director of Public Prosecutions and the Police Public Complaints Authority. I will be going to court on the constitutional cases that will be landmark cases."

E. Prisons

Jamaica operates seven Adult Correctional Centers; six for male offenders and one for female offenders. The Head of the Correctional Services reports to the Minister of National Security and Justice.

The correctional service has mechanisms to deal with any action taken against inmates which could be deemed as abuse. The inmates have a right to lodge a complaint to the Public Defender without the intervention of the respective center. The superintendents at the centers are required to investigate all incidents and where the police need to investigate as well, they are duly notified. There is also an Inspectorate at the Ministry of National Security and Justice which conducts investigations into any incidents which occur at the centers.

Table 2—Prison Capacity and Populations in Jamaica

Correctional Center	1998 Official Capacity	1998 Population	1999 Official Capacity	1999 Population
St. Catherine	671	1,253	671	1,344
Tower Street	895	1,232	895	1,309
South Camp	280	239	280	241
Tamarind Farm	280	185	280	192
Richmond Farm	315	183	315	198
New Broughton	30	18	30	24
Fort Augusta	330	158	330	181
TOTAL	2771	3268 (497)	2771	3489 (718)

Source: Planning Institute of Jamaica, *Economic and Social Survey of Jamaica 1999*, April 2000.

F. Specialized Programs

The Ministry of National Security and Justice established a Victim Support Program in 1998 to assist victims of crimes recover from their ordeal, as well as to offer emotional, technical, legal and mediation support to victims of certain crimes including arson, rape, child-abuse and domestic disputes. The Victim Support Unit maintains contact with the victim until the case is either referred to another organization, or it is determined that support is no longer required. The Program has now been launched in all fourteen parishes in Jamaica.

The Ministry of National Security and Justice also administers a Witness Protection Program which is designed to reassure, protect, encourage and enable witnesses in criminal court proceedings, whose lives are under threat, to give evidence willingly and freely. When

necessary, the program has relocated witnesses in various parts of Jamaica and overseas. After a period of giving evidence, the program also seeks to reintegrate the witness to a normal life in society.

Legislative

The legislature is a bicameral body with a 60 member elected House of Representatives and a 21 member appointed Senate. The legislative role of the head of state (Governor-General) includes appointment of Senators: 13 on the advice of the Prime Minister and eight on the advice of the Leader of the Opposition. The normal parliamentary term is five years, but the Prime Minister may call elections earlier if he considers it politically expedient to do so, in order to renew his party's mandate.[68]

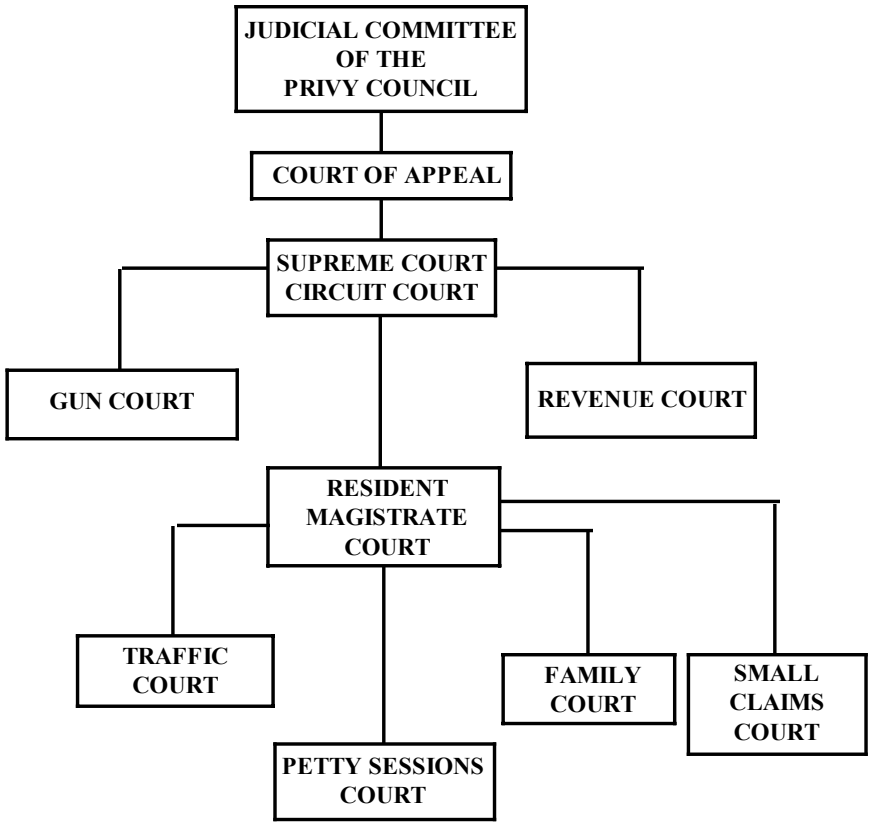
The House initiates all funding bills, but other bills may be introduced in either chamber. Each chamber regulates its own procedures and chooses it own officers. A key officer of the House is the Speaker, who controls its proceedings; the equivalent officer in the Senate is the President. In addition to submitting bills, the Senate has the power to review and delay legislation submitted by the House but the Senate delay may be overridden if a majority in the House passes such bills three times in succession. As for constitutional amendments, the concurrence of the Senate is necessary. Because of the executive-legislative linkage, cabinet ministers usually introduce bills intended to set, revise, or implement policy.

Judicial

An outline of the Judicial branch is found in Figure 2 below. In the Petty Sessions courts, at the lowest rung of the court hierarchy, Justices of the Peace (JP) hear the majority of cases. JP's can impose small fines and short periods of imprisonment. They may also set bail and requirements for being remanded into custody for offences within their jurisdiction and issue warrants where litigants fail to comply with their judgments. Petty Sessions Court proceedings are held within the confines of the Resident Magistrate's Courthouse and at outstations in each Parish. The Resident Magistrate of each Parish is also, ex officio, a Justice of the Peace. An assistant or deputy clerk based at the RM Court will usually undertake the prosecution of cases or assist the police to prosecute cases in the Petty Sessions Court.

[68] Early elections also could be held if there is a successful vote of no confidence in Parliament against the ruling party. However, there is little likelihood of this in a two party system such as the one in Jamaica, especially where the ruling party has such a significant margin of legislative control.

Figure 2 STRUCTURE OF THE JAMAICAN COURT SYSTEM



There is a Resident Magistrates (RM) Court in each of the fourteen Parishes in Jamaica, and each court has jurisdiction within that Parish and one mile beyond its boundary line. RM Courts have limited jurisdiction in both civil and criminal matters and their monetary (J$500,000 or less). Civil offences over which RM Courts have jurisdiction include recovery of possession of land by landlords, termination of tenancy, recovery of rent, probate and administration of real and personal estates.[69]

With relation to criminal offences, the RM Court has no power to conduct a trial for certain criminal offences including murder, treason and rape. In such cases a Preliminary Examination or Enquiry is held to determine whether the evidence is sufficient for the accused to stand trial in a Circuit Court, which is part of the Supreme Court. Appeals from the RM Courts normally go to the Court of Appeal.

[69] A small claims division of the Resident Magistrates Court was established in the Parish of Saint Andrew on a pilot basis in late 1999. The objective of this exercise is to provide a simple and quick procedure for the resolution of uncomplicated small claims (J$50,000 and below) where Attorneys do not represent the parties. The court will provide assistance to the claimants in the presentation of their cases and RM's staffing the court are empowered to refer cases to mediation where they consider this to be appropriate. On the wider front, the RM Court Rules have been amended to allow RM's to refer cases to mediation not only when exercising this special small claims jurisdiction, but in all other cases.

Unlike the RM and Petty Sessions Courts, the Supreme Court, located in Kingston (with a branch being proposed for Montego Bay), has unlimited jurisdiction in both civil and criminal matters. Under the Constitution, a full court of the Supreme Court has original jurisdiction to hear and determine applications by persons who allege contravention of their human rights protections in the Constitution.

The Court consists of the Chief Justice, a Senior Puisne (pronounced puny) Judge and twenty two other Puisne Judges. Two special branches of the Supreme Court are the Revenue Court, which deals specifically with appeals from administrative bodies on revenue and related matters, and the Gun Court that tries cases involving a firearm where the accused's possession of the firearm is alleged to be illegal.

Appeals from conviction from both the RM Courts and the Supreme Court are heard in the Court of Appeal which is comprised of one President of the Court and six Justices of Appeal. A panel of three judges usually hears cases, but the Chief Justice is ex-officio, a member of the Court of Appeal and can sit on the invitation of the President in a matter in which the full Court is sitting.

Appeals against the decisions of the Court of Appeal, in important civil and criminal cases, which involve, among other things, questions of great general or public importance, may be referred to the Judicial Committee of the Privy Council based in London. Decisions handed down by this court are binding on the local courts and form a judicial precedent in that the local courts are bound to follow the legal principles enunciated in a previous Privy Council ruling in a subsequent matter in which the facts are similar.

It should be noted that the Ministry of National Security and Justice (MNSJ) is responsible for lobbying and presenting to Parliament an annual budget for the court system. This budget is arrived at through close consultation with the Chief Justice of Jamaica, the head of the judiciary. While the tenure of the judges is constitutionally protected and their independence is a reality in law and practice, the MNSJ provides the funding which recruits the staffing and supports the administrative apparatus of the court system.

Beyond the importance of the three branches, but with varying degrees of importance to all of them, is the Leader of the Opposition. This individual is nominated by the opposition party and appointed by the Governor General. The current Opposition Leader is Edward Seaga, head of the Jamaica Labor Party (JLP), the only other party that won parliamentary seats in the December 1997 elections. The Opposition Leader is expected to perform a certain check and balance function: to serve as a critic of how power is being exercised and policy is designed and implemented, challenge the ruling group, and provide an ever-ready alternative to those in power. Moreover, the Governor General and the Prime Minister are obliged to get his input prior to making decisions in several areas. The opposition also uses shadow ministers similar to the British parliamentary practice.

Civil Society, The Private Sector, and The Press

Empirically, we define civil society as a public arena where self-organizing groups, movements, and individuals, autonomous from the state, attempt to articulate values, create networks, monitor government actions, and advocate for public oriented as well as private group interests.

In contemporary Jamaica, civil society is interpenetrated by and understood most accurately in terms of the activities of CSOs (Civil Society Organizations), CBOs (Community-Based Organizations), and NGOs (Non-Governmental Organizations); private sector interests (Chambers of Commerce, private sector philanthropy, corporate political interests); the churches; and the activities of the press (newspapers, radio, and TV).

Contemporary Jamaica maintains a fairly active civil society sector at a national level. A vibrant free press and broadcast media are animated by frequent and varied political opinions and interest in public affairs seems to be high if the proliferation of TV and radio talk shows is any gauge. Civil society-based organizations of all type seem to have proliferated though some argue that civil society in Jamaica has long been active in a cultural and community realm and only recently has it become more politically oriented.[70]

Still the general attributes of the civil society sector in Jamaica seem to be two fold – civil society in Jamaica is broad but often shallow. Civil society is broad in the sense that many interests seem to be represented on the national scene by groups concerned with human rights and justice issues, good government, transparency, women's rights, economic development, rural development, voting and civic education, education, the environment, urban renewal, promotion of arts, etc. Even though there is this breadth of interest and involvement, there is also a sense in which the depth of any particular CSO is not always evident. The activists or organizers at the heads of many such groups tend to circulate between and among like-minded groups but at the same time they often lack significant and sustained coordination between these same groups. Further the CSOs are often removed from and alien to the majority of citizens. This lack of a popular base and failure to coordinate between themselves leaves civil society in Jamaica open to the criticism of being non-representative and also makes the CSO sector vulnerable to possible attempts by the state to play organizations off of each other and co-opt particular groups to remove pressure for political responsiveness.

The private sector has an ongoing interest in political affairs in Jamaica and can serve to facilitate democratic performance in important ways. The role of the American Chamber of Commerce (AMCHAM) in engaging the JCF on reform issues in the context of the PERF report is an excellent example. Urban renewal projects, and the work of both private and public sector organizations to promote these (Kingston Restoration for example) are also important evidence that civil society is capable of concrete contributions.

[70] Assessment team notes on meeting with Professor Rex Nettleford.

Appendix F: Selected Readings on Democracy and Governance in Jamaica

1. Barnett, Lloyd G. 1999. "Proscribing Corruption under Jamaican Law: A Legal Roadmap." In *Combating Corruption in Jamaica: A Citizen's Guide*. Atlanta: The Carter Center.

2. ----------. 1977. *The Constitutional Law of Jamaica*. Oxford: Oxford University Press.

3. Bernal, Richard L, Winsome J. Leslie, and Stephen E. Lamar. 2000. "Drugs, Debt, and Structural Adjustment in the Caribbean." In Ivelaw L. Griffith, ed., *The Political Economy of Drugs in the Caribbean*. London: Macmillan.

4. Besson, Jean. 1998. "Changing Perceptions of Gender in the Caribbean Region: The Case of the Jamaican Peasantry." In Christine Barrow, ed., *Caribbean Portraits: Essays on Gender Ideologies and Identities*. Kingston: Ian Randle Publishers.

5. Bonnick, Gladstone. 1994. "Crime and Violence: Implications for Economic Expansion." In Patsy Lewis, ed., *Jamaica: Preparing for the Twenty-first Century*. Kingston: Ian Randle Publishers.

6. Brown-Campbell, Gladys. 1998. *Patriarchy in the Jamaica Constabulary Force: Its Impact on Gender Equality*. Kingston: Canoe Press.

7. Bryan, Patrick E. 1990. *Philanthropy and Social Welfare in Jamaica: An Historical Survey*. Mona: Institute of Social and Economic Research, UWI.

8. Charles, Pearnel. 1999. *A Cry from the Grassroots*. Kingston: Stephensons Litho Press.

9. Chevannes, Barry. 1999. *What we Sow and What we Reap*. Grace, Kennedy Lecture Series Foundation.

10. Chevigny Paul G. 1991. "Police Deadly Force as Social Control: Jamaica, Brazil, and Argentina." In Martha K. Huggins, ed., *Vigilantism and the State in Modern Latin America: Essays on Extra Legal Violence*. New York: Praeger.

11. Edie, Carlene, J. 2000. "Economic Performance, Leadership Crisis, and Voting Behavior in the 1997 Jamaica Parliamentary Election," *Social and Economic Studies* Vol. 49 No. 1 (March): 183-210.

12. ----------. 1994. "Jamaica: Clientelism, Dependency, and Democratic Stability." In Carlene J. Edie, ed., *Democracy in the Caribbean: Myths and Realities*. Westport, CT: Praeger.

13. Forbes, John D. 1985. *Jamaica: Managing Political and Economic Change*. Washington, DC: American Enterprise Institute for Public Policy Research.

14. García-Muñiz, Humberto. 1991. "Defense Policy and Planning in the Caribbean: The Case of Jamaica." In Jorge Rodríguez Beruff, J. Peter Figueroa, and J. Edward Greene, eds., *Conflict Peace, and Development in the Caribbean*. New York: St. Martin's Press.

15. Glaessner, Philipe. 1992. "Genesis of the Administrative Reform Program in Jamaica." In Selwyn Ryan and Deryck Brown, eds*., Issues and Problems in Caribbean Public Administration*. St. Augustine, Trinidad: Institute of Social and Economic Studies, UWI.

16. Grant-Wisdom, Dorith. 1997. "Globalization, Structural Adjustment, and Democracy in Jamaica." In Ivelaw L. Griffith and Betty N. Sedoc-Dahlberg, eds., *Democracy and Human Rights in the Caribbean*. Boulder: Westview Press.

17. Gunst, Laurie. 1995. *Born Fi' Dead: A Journey through the Jamaican Underworld*. New York: Henry Holt.

18. Harriott, Anthony. 2000. *Police and Crime Control in Jamaica: Problems of Reforming Ex-colonial Constabularies*. Kingston: University of the West Indies Press.

19. ----------. 1996. "The Changing Social Organization of Crime and Criminals in Jamaica." *Caribbean Quarterly* Vol. 42 Nos. 2-3: 54-71.

20. Henry-Wilson, Maxine. 1994. "Community Involvement: Responses to the Challenge of the Future." In Patsy Lewis, ed., *Jamaica: Preparing for the Twenty-first Century*. Kingston: Ian Randle Publishers.

21. Headley, Bernard. 1996. *The Jamaican Crime Scene: A Perspective*. Washington, DC: Howard University Press.

22. Homiak, John P. 1999. "Movements of Jah People: From Soundscapes to Mediascape." In John W. Pulis, ed., *Religion, Diaspora, and Cultural Identity: A Reader in the Anglophone Caribbean*. Amsterdam, The Netherlands: Gordon and Breach.

23. Human Rights Watch. 1999. *'Nobody's Children:' Jamaican Children in Police Detention and Government Institutions*. New York. July.

24. Jamaica Cabinet Office. 2000*. Improving the Quality of Governance through Public Service Reform*. Ministry Paper No 39, April.

25. Jamaica Constabulary Force. 2000. *Jamaica Constabulary Force Annual Report 1999-2000*. Kingston.

26. ----------. 2000. *Jamaica Constabulary Force Citizen's Charter*. Kingston.

27. Lacey, Terry. 1977. *Politics and Violence in Jamaica 1960-1970: Internal Security in a Developing Country*. London: Frank Cass.

28. Levy, Horace. 2000. "The Social Action Center Story, 1858-1998." In Suzanne Francis Brown, ed., *Spitting in the Wind: Lessons in Empowerment from the Caribbean*. Kingston: Ian Randle Publishers.

29. Lindsay, Louis. 1975. *The Myth of Independence: Middle Class Politics and Non-Mobilization in Jamaica*. Mona: Institute of Social and Economic Research, UWI.

30. Mills, Gladstone E. 1997. *Westminster Style Democracy: The Jamaican Experience*. Kingston: The Grace, Kennedy Foundation.

31. ----------. 1992. "Administrative Reform: The Jamaican Experience." In Selwyn Ryan and Deryck Brown, eds*., Issues and Problems in Caribbean Public Administration*. St. Augustine, Trinidad: Institute of Social and Economic Studies.

32. ----------, ed. 1990. *A Reader in Public Policy and Administration*. Mona: Institute of Social and Economic Research, UWI.

33. Moser, Caroline and Jeremy Holland. 1997. *Urban Poverty and Violence in Jamaica*. Washington, DC: The World Bank.

34. Munroe, Trevor. 2000. *Voice, Participation, and Governance in a Changing Environment: The Case of Jamaica*. Paper Presented at the 2000 Meeting of the World Bank Caribbean Group for Cooperation in Economic Development. Washington, DC. June

35. ----------. 1999. *Renewing Democracy into the Millennium: The Jamaican Experience in Perspective*. Kingston: University of the West Indies Press.

36. ----------. 1999. "Jamaica's Proposed Freedom of Information Act: Approaching Open Government." In *Combating Corruption in Jamaica: A Citizen's Guide*. Atlanta: The Carter Center.

37. ----------. 1994. "The Industrial Relations Culture: Perspectives and Change." In Patsy Lewis, ed., *Jamaica: Preparing for the Twenty-first Century*. Kingston: Ian Randle Publishers.

38. Ministry of Health & Ministry of National Security and Justice. 1997. *National/ Master Drug Abuse Prevention and Control Plan 1997-2002*. Kingston.

39. Narcisse, Carol. 2000. "Social Integration and Disintegration—The Caribbean Experience: Jamaica." In Kenneth O. Hall and Denis Benn, eds*., Contending with Destiny: The Caribbean in the Twenty First Century*. Kingston: Ian Randle Publishers.

40. National Task Force on Crime. 1993. *Report of the National Task Force on Crime*. April. (The report is also called the Wolfe Report, as the Task Force was chaired by then Justice--now Chief Justice--Lensley Wolfe.)

41. O'Connor, Florizelle. 1991. "The Jamaica Council for Human Rights: A Non-Governmental Organization Case Study." In Angela D. Byre and Beverley Y. Byfield, eds., *International Human Rights Law in the Commonwealth Caribbean*. Dordrecht, The Netherlands: Martinus Nijhoff.

42. Parliament of Jamaica. 2000. *The Criminal Justice System; A Crime Prevention Approach. Presentation by the Hon. K. D. Knight, Minister of National Security and Justice, Sectoral Debate 2000*. June 13.

43. Payne, Anthony. 1993. "Liberal Economics versus Electoral Politics in Jamaica." In Anthony Payne and Paul Sutton, eds., *Modern Caribbean Politics*. Baltimore, MD: The Johns Hopkins University Press.

44. ----------. 1995. *Politics in Jamaica*. New York: St. Martin's Press.

45. Planning Institute of Jamaica. 2000. *Economic and Social Survey of Jamaica 1999*. Kingston, April.

46. Small, Geoff. 1995. *Ruthless: The Global Rise of the Yardies*. London: Warner Books.

47. Spence, Vanessa. 1995. "Privatization and Employee Ownership: Jamaican Models." In Anthony T. Bryan, ed*., The Caribbean: New Dynamics in Trade and Political Economy*. New Brunswick: Transaction Publishers.

48. Stephens, Evelyne Huber and John D. Stephens. 1987. "The Transition to Mass Parties and Ideological Politics: The Jamaican Experience Since 1972," *Comparative Political Studies* Vol. 19 No. 2 (July): 177-96.

49. ----------. 1986. *Democratic Socialism in Jamaica: The Political Movement and Social Transformation in Dependent Capitalism*. Princeton: Princeton University Press.

50. Stone, Carl. 1994. "The Jamaican Party System and Political Culture." In Patsy Lewis, ed., *Jamaica: Preparing for the Twenty-first Century*. Kingston: Ian Randle Publishers.

51. ----------. 1988. "Crime and Violence: Socio-Political Implications." In Peter Phillips and Judith Wedderburn, eds., *Crime and Violence: Causes and Solutions*. Mona: Department of Government Occasional Paper No. 2, University of the West Indies. September.

52. ----------. 1986. *Class, State, and Democracy in Jamaica*. New York: Praeger.

53. ----------. 1980. *Democracy and Clientelism in Jamaica*. New Brunswick, NJ: Transaction Books.

54. Tindigarukayo, Jimmy and Sandra J. Chadwick. 1999. *Civil Service Reform in Jamaica*. United Nations Development Program Report. June.

55. Walker, Geraldine Grace. 2000. *The Democratization of Higher Education in Jamaica: the Role of the University of the West Indies*. Thesis for Doctor of Education in Higher Education, Florida International University.